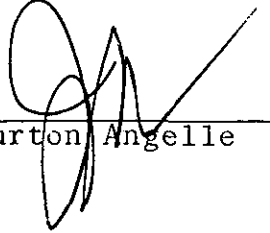


LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Approved: 2/15/88


J. Burton Angelle

BOARD MEETING

February 5, 1988

JOE PALMISANO, JR.
Chairman

Houma, Louisiana

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
HOUMA, LOUISIANA

February 5, 1988

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1. Roll Call	1
2. Approval of Minutes of January 7, 1988 and January 14, 1988	2
3. Ratification of Notice of Intent on Deer Tagging	1
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MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

February 5, 1988

Chairman Joe Palmisano presiding:

Thursday, February 4, 1988 - 2:00 PM

Jack Cappel
Don Hines
James Jenkins
Warren Pol
Dale Vinet
Lyle Crain

Friday, February 5, 1988 - 10:00 AM

Jack Cappel
Don Hines
James Jenkins
Warren Pol
Dale Vinet
Lyle Crain

Mr. J. Burton Angelle was also present.

The minutes of the meeting of January 7, 1988 and January 14, 1988 were approved with a motion from Dr. Hines, seconded by Mr. Jenkins and unanimously approved.

Dr. Hines moved to ratify the deer tagging program which was seconded by Mr. Vinet. Discussion was held. Dr. Cappel made a substitute motion, seconded by Mr. Jenkins to postpone indefinitely the deer tagging program which, after much discussion passed with a 4-3 vote. Mr. Angelle also mentioned that a letter was written to Mr. Perlman to implement into the budget monies for this program for next fiscal year if this program is approved at a later time.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Rockefeller Wildlife Refuge. Mr. Pol moved to adopt this resolution, seconded by Mr. Jenkins, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the Louisiana Department of Wildlife and Fisheries received the Rockefeller Wildlife Refuge under a conditional Deed of Donation in 1920; and

WHEREAS, the provisions of the original Deed of Donation and Memorandum of Agreement permit recreational use of the refuge; and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has been permitting properly licensed sport fishing and other recreational use of the area without interference with the wildlife management programs on the refuge; and

WHEREAS, numerous regulations have been adopted by the Louisiana Wildlife and Fisheries Commission to control public use of the refuge; and

NOW, THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Rockefeller Wildlife Refuge for sport fishing and other recreational uses:

1. The visiting season on the Rockefeller Wildlife Refuge will extend from March 1st to October 15th throughout the Refuge except those restricted areas designated to prohibit interference with research and management activities. Use of Humble Canal; Joseph Harbor Bayou; Headquarters Canal; East End Road and Locks; Union Producing Canal; Deep Lake; East End Boundary Canal; and Rollover Bayou shall be year round. In addition to this access, sport fishermen shall be permitted to enter the Refuge from the Gulf side in Pigeon Bayou, Big Constance Bayou, Little Constance Bayou. Access through these bayous will be permitted only as far inland as the existing water control structures. The remainder of the Refuge shall be restricted during the winter months and will be closed to all trespassing.
2. Use of the Refuge will be allowed from official sunrise until official sunset. This included access routes through the Refuge.
3. Overnight camping is prohibited.
4. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Louisiana Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.
5. Trawling on the Refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the Refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established

by the Louisiana Wildlife and Fisheries Commission. Ten (10) pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the Refuge and only for sport fishing or home consumption use.

6. Crawfish may be harvested from the open portion of the Refuge and one-hundred (100) pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the Refuge daily. No commercial harvest is allowed.
7. Crabs may be harvested from the open portion of the Refuge and twelve (12) dozen crabs are allowed per boat or vehicle per day.
8. Oysters may be harvested by tonging (properly licensed) or by hand collection from the natural reefs. One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and the shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
9. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries.
10. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the Refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
11. Speed boat racing and water skiing is prohibited. All boat traffic shall honor no wake zones and shall keep wave wash to a minimum. Pulling boats over or around levees, dams or water control structures is prohibited.
12. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs and wild plants without prior approval is prohibited.
13. Commercial fishing gear or trawls shall not be permitted in possession while participating in sports fishing on Refuge. Commercial fishing gear may be in possession for non-stop access directly across refuge or for safe harbor only.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Marsh Island Refuge. Dr. Cappel moved to adopt this resolution, seconded by Mr. Vinet, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the Louisiana Department of Wildlife and Fisheries received the Marsh Island Refuge under a conditional Deed of Donation in 1920; and

WHEREAS, provisions of the original Deed of Donation and Memorandum of Agreement permit recreational use of the refuge; and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has permitted properly licensed sport fishing and other recreational use of the area without interference with the wildlife management programs on the refuge; and

WHEREAS, numerous regulations have been adopted by the Louisiana Wildlife and Fisheries Commission to control public use of the Refuge; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Marsh Island Wildlife Refuge for sport fishing and other recreational uses:

1. Use of the Refuge will be allowed from official sunrise to official sunset. This includes access routes through the Refuge.
2. Overnight camping is prohibited.
3. Hunting pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Louisiana Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.

4. Trawling on the Refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the Refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Louisiana Wildlife and Fisheries Commission. Ten (10) pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the Refuge and only for sport fishing or home consumption use.
5. Crawfish may be harvested from the open portion of the refuge and one-hundred (100) pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the refuge daily. No commercial harvest is allowed.
6. Crabs may be harvested from the open portion of the Refuge and twelve (12) dozen crabs are allowed per boat or vehicle per day. No commercial harvest is allowed.
7. Oysters may be harvested only by tonging (properly licensed) or by hand collection from the natural reefs. One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and all shells returned to the reef. Taking of oysters on the refuge is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
8. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries.
9. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the Refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Speed boat racing and water skiing is prohibited. All boat traffic shall honor no wake zones and all boat traffic shall keep wave wash to a minimum. Pulling boats over or around levees, dams, or water control structures is prohibited. The Louisiana Department of Wildlife and Fisheries may further restrict specified areas of the Refuge from public access or use.

11. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs, and wild plants on the Refuge without prior approval is prohibited.
12. Commercial fishing gear or trawls shall not be permitted in possession while participating in sports fishing on Refuge. Commercial fishing gear may be in possession for non-stop access directly across refuge or for safe harbor only.
13. Enforcement official shall have the duty and the right to restrict access to the Island, even for the purpose herein enumerated, whenever the circumstances exist that such access may impair the primary purpose of the Island as a wildlife refuge and sanctuary.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Atchafalaya Delta Wildlife Management Area. Mr. Jenkins moved to adopt this resolution, seconded by Dr. Cappel, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, Act 565 of the regular session of the Legislature of 1977 authorized the leasing of approximately 125,000 acres of land and water in Atchafalaya Bay to the Department of Wildlife and Fisheries for the purpose of establishing the Atchafalaya Delta Wildlife Management Area, and

WHEREAS, a lease agreement form has been drafted by the Department of Natural Resources covering a 25-year period beginning upon execution of the lease, and

WHEREAS, other stipulations have been incorporated to conform with Act 565,

NOW, THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby approve of the execution of this lease by the Secretary, Department of Wildlife and Fisheries, and

BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Atchafalaya Delta Wildlife Management Area for sport fishing and other recreational uses.

1. Commercial and recreational fishing and recreational hunting are permitted. No nighttime hunting activity is allowed on Atchafalaya Delta Wildlife Management Area.
2. Basic resident and non-resident hunting licenses will serve as season permits on Atchafalaya Delta Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Atchafalaya Delta Wildlife Management Area. Hunters must check out daily one-half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in boats under motor power on Atchafalaya Delta Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas. Firearms and bows and arrows are not permitted on Atchafalaya Delta Wildlife Management Area during closed seasons. Bows and broadhead arrows are not permitted on Atchafalaya Delta Wildlife Management Area EXCEPT during regular archery season or EXCEPT as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations, camping areas, or headquarters facility. Rifles and handguns larger than .22 caliber rimfire, shotgun slugs or shot larger than BB cannot be carried onto Atchafalaya Delta Wildlife Management Area. Target shooting and other forms of practice shooting are prohibited on Atchafalaya Delta Wildlife Management Area.
5. Construction of and hunting from permanent blinds on Atchafalaya Delta Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.

6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Atchafalaya Delta Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Atchafalaya Delta Wildlife Management Area during experimental rabbit seasons.
7. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
8. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited, except as specifically authorized by Department personnel.
9. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
11. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime.
12. No littering allowed; dumping garbage or trash only is designated locations.
13. Camping on Atchafalaya Delta Wildlife Management Area, including houseboats, and tents are permitted only in designated areas and for a period not to exceed sixteen (16) consecutive days. Camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed sixteen (16) consecutive days. Permits are required for overnight mooring of houseboats on Atchafalaya Delta Wildlife Management Area. Permits may be obtained from the headquarters facility. No refuse or garbage may be dumped from these boats while vessel is on Atchafalaya Delta Wildlife Management Area. Firearms may not be kept

loaded or discharged in a camping area. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation. Damage to or removal of trees, shrubs and wild plants on Atchafalaya Delta Wildlife Management Area without prior approval is prohibited.

14. Oysters may be harvested by tonging (properly licensed) or by hand collection from natural reefs (with the exception of existing leases). One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at anytime by the Louisiana Department of Wildlife and Fisheries.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Pointe-Au-Chien Wildlife Management Area. Mr. Crain moved to adopt this resolution, seconded by Dr Hines, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the Louisiana Department of Wildlife and Fisheries purchased the Pointe-Au-Chien Wildlife Management Area in 1968; and

WHEREAS, the Wildlife Management Area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Pointe-Au-Chien Wildlife Management Area for sport fishing and other recreational uses:

1. Morning hunting only on all game (closed 12:00 noon). All nighttime activities prohibited (including frogging) from thirty (30) minutes after official sunset to one and one half (1 1/2) hours before official sunrise.

2. Basic resident and non-resident hunting licenses will serve as season permits on Pointe-Au-Chien Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Pointe-Au-Chien Wildlife Management Area. Hunters must check out daily one half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms, are not allowed in boats on Pointe-Au-Chien Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Pointe-Au-Chien Wildlife Management Area except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Pointe-Au-Chien Wildlife Management Area.
5. Construction of and hunting from permanent blinds on Pointe-Au-Chien is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Pointe-Au-Chien Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Pointe-Au-Chien Wildlife Management Area during experimental rabbit seasons.
7. Commercial fishing is prohibited; except in Cut Off Canal and Wonder Lake.
8. Recreational Fishing

- a) Shrimp may be taken by the use of cast nets only. During the inside open shrimp season twenty-five pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season ten pounds per boat per day, heads on may be taken for bait.
 - b) Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
 - c) Fish may be taken by rod and reel or hand lines for recreational purposes only.
 - d) Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve (12) dozen crabs are allowed per boat or vehicle per day.
 - e) Crawfish may be harvested in unrestricted portions of the game management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.
 - f) The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.
- 9. Boats powered by internal combustion engines having horsepower ratings above 25 h.p. are prohibited in interior ditches. Public is permitted to travel through the wildlife management area for access purposes only, in areas known as Grand Bayou, Humble Canal, Little Bayou Blue and Grand Bayou Blue.
 - 10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
 - 11. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited except as specifically authorized by department personnel.
 - 12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats

and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.

13. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime. Damage to or removal of trees, shrubs and wild plants on Pointe-Au-Chien Wildlife Management Area without prior approval is prohibited.
15. No littering allowed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Salvador Wildlife Management Area. Dr. Hines moved to adopt this resolution, seconded by Mr. Jenkins, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the Louisiana Department of Wildlife and Fisheries purchased the Salvador Wildlife Management Area in 1968; and

WHEREAS, the Wildlife Management Area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Salvador Wildlife Management Area for sport fishing and other recreational uses;

1. Morning Hunting Only on all game (closed 12:00 noon). All nighttime activities prohibited (including frogging) from thirty (30) minutes after official sunset to one and one half (1 1/2) hours before official sunrise.

2. Basic resident and non-resident hunting licenses will serve as season permit on Salvador Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Salvador Wildlife Management Area. Hunters must check out daily one half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Louisiana Department of Wildlife and Fisheries in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms, are not allowed in boats on Salvador Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Salvador Wildlife Management Area except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and forms of practice shooting are prohibited on Salvador Wildlife Management Area.
5. Construction of and hunting from permanent tree stands or permanent blinds on Salvador Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blind and remove decoys within 30 minutes after close of shooting hours on each respective area. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Salvador Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Salvador Wildlife Management Area during experimental rabbit seasons.
7. Commercial fishing is prohibited.
8. Recreational fishing

- a) Shrimp may be taken by the use of cast nets only. During the inside open shrimp season twenty-five pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season ten pounds per boat per day, heads on may be taken for bait.
 - b) Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
 - c) Fish may be taken by rod and reel or hand lines for recreational purposes only.
 - d) Crabs may be taken through the use of hand lines or nets; however, none of the lines are to remain set overnight. Twelve (12) dozen crabs are allowed per boat or vehicle per day.
 - e) Crawfish may be harvested in unrestricted portions of the game management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.
 - f) The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and all commercial use is prohibited.
9. Boats powered by internal combustion engines having horsepower rating above 25 h.p. are permitted only in oil company access canals; Louisiana Cypress Canal, the Netherlands pond including the West Canal; Lakes - "Baie Des Chactas" and "Baie du Cabanage", and the Rathborne Access ditch. Operation of the above described internal combustion engines in interior ditches are prohibited.
 10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
 11. The use of airboats, aircraft, hover craft, all terrain vehicles, all terrain cycles and motorcycles are prohibited; except as specifically authorized by department personnel.
 12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.

13. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime. Damage to or removal of trees, shrubs and wild plants on Salvador Wildlife Management Area without prior approval is prohibited.
15. No littering allowed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, tha the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Johnnie Tarver presented a resolution to adopt rules and regulations on the Pass-a-Loutre Wildlife Management Area. Dr. Cappel moved to adopt this resolution, seconded by Mr. Vinet, which was approved unanimously.

(The full text of the resolution
is made a part of the record)

WHEREAS, the Louisiana Department of Wildlife and Fisheries owns the 66,000 acre Pass-a-Loutre Wildlife Management Area; and

WHEREAS, the Wildlife Management Area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Pass-a-Loutre Wildlife Management Area for sport fishing and other recreational uses:

1. Commercial and sport fishing and recreational hunting are permitted. No nighttime hunting is allowed.
2. Basic resident and non-resident hunting licenses will serve as season permits on Pass-a-Loutre Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Pass-a-Loutre Wildlife Management Area. Hunters must check out daily one-half hour after the end of legal shooting hours.

3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in boats while under motor power on Pass-a-Loutre Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas. Firearms and bows and arrows are not permitted on Pass-a-Loutre Wildlife Management Area during closed seasons. Bows and broadhead arrows are not permitted on Pass-a-Loutre Wildlife Management Area EXCEPT during regular archery season or EXCEPT as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations, camping areas, or headquarters facility. Rifles and handguns larger than .22 caliber rimfire, shotgun slugs or shot larger than BB cannot be carried onto Pass-a-Loutre Wildlife Management Area. Target shooting and other forms of practice shooting are prohibited on Pass-a-Loutre Wildlife Management Area.
5. Construction of and hunting from permanent blinds on Pass-a-Loutre Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Pass-a-Loutre Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Pass-a-Loutre Wildlife Management Area during experimental rabbit seasons.
7. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.

8. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited, except as specifically authorized by department personnel.
9. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
11. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime.
12. No littering allowed; dumping garbage or trash only in designated locations.
13. Camping on Pass-a-Loutre Wildlife Management, including houseboats, and tents are permitted only in designated areas and for a period not to exceed sixteen (16) consecutive days. Camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed sixteen (16) consecutive days. Permits are required for overnight mooring of houseboats on Pass-a-Loutre Wildlife Management Area. Permits may be obtained from the headquarters facility. No refuse or garbage may be dumped from these boats while vessel is on Pass-a-Loutre Wildlife Management Area. Firearms may not be kept loaded or discharged in a camping area. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation. Damage to or removal of trees, shrubs and wild plants on Pass-a-Loutre Wildlife Management Area without prior approval is prohibited.
14. Oysters may be harvested by tonging (properly licensed) or by hand collection from natural reefs (with the exception of existing leases). One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at anytime by the Louisiana Department of Wildlife and Fisheries.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.

Joe Herring presented a resolution to recognize National Wildlife Week March 20-26, 1988. Mr. Pol moved to accept this resolution, seconded by Mr. Jenkins which was unanimously approved.

(The full text of the resolution
is made a part of the record)

WHEREAS, forests cover about 737 million acres of the United States and are essential to the environmental quality of our nation; and

WHEREAS, thousands of plant and animal species, including more than 100 threatened and endangered species, depend upon forests for their survival; and

WHEREAS, forests provide invaluable functions and products including watershed protection, wildlife habitat, recreation, lumber, and paper products; and

WHEREAS, human demands and pressures on the diverse forest resources have resulted in deforestation and alteration of forest quality and quantity; and

WHEREAS, recent research suggests that acid rain and other forms of air and water pollution are negatively impacting forests; and

WHEREAS, the National Wildlife Federation has set aside the week of March 20th through March 26th, 1988, as a time to become more aware of forest resources; now therefore

BE IT RESOLVED THAT, the Louisiana Wildlife and Fisheries Commission does hereby join the National Wildlife Federation and the Louisiana Wildlife Federation in proclaiming March 20th through March 26, 1988, as National Wildlife Week, urging one and all to unite in support of every activity that will improve our understanding of forests and the essential role they play in our lives and thus strongly affirm the vital importance of the 1988 theme "Forests Are More Than Trees."

The Survey Report was given by Phil Bowman at the meeting on Thursday. During the period of January 1st-31st, 1988 153 surveys were scheduled and 108 were unable to be done due to bad weather or fishermen unable to meet surveyor. Lease rental

collected was \$263,618.00, survey fees collected were \$24,812.75, 192 applications were filed, 7 new leases were issued and 6 surveys were conducted by a private surveyor.

The Enforcement Report for the month of December 1988 was given by Ray Montet at the meeting on Thursday.

The June meeting date was set for Thursday and Friday, June 2-3, 1988 in Baton Rouge by a motion from Mr. Jenkins, seconded by Mr. Vinet and unanimously approved.

The meeting was adjourned.

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Approved: 2/15/88


J. Burton Angelle

BOARD MEETING

February 4, 1988

JOE PALMISANO, JR.
Chairman

Houma, Louisiana

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION
HOUMA, LOUISIANA

February 4, 1988

	Page
1. Roll Call	1
2. Commission to Consider Whether or Not the Recreational Harvest of Redfish Should be Suspended	1

MINUTES OF MEETING OF
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

February 4, 1988

Chairman Joe Palmisano presiding:

Thursday, February 4, 1988 - 10:00 AM

Jack Cappel
Don Hines
James Jenkins
Warren Pol
Dale Vinet
Lyle Crain

Mr. J. Burton Angelle was also present.

Dr. Cappel offered a resolution to the Commission that we go on record closing recreational redfish taking until the 1st of June, 1988. This motion was seconded by Mr. Crain and discussion was held.

Mr. Pol offered a substitute motion to delay any action for recreational fishing until Legislature has chance to act. Mr. Jenkins seconded this motion and discussion was held on substitute motion.

The substitute motion failed 4 to 2. The original motion passed 5 to 2.

The meeting was adjourned.

Attached is the Declaration of Emergency in accordance with the emergency provisions of the Administrative Procedure Act and under the authority of R.S. 56:22 and R.S. 56:371.



J. BURTON ANGELLE, SR.
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE
P.O. BOX 15570
BATON ROUGE, LOUISIANA 70895
504/342-9267

EDWIN W. EDWARDS
GOVERNOR

January 29, 1988

M E M O R A N D U M

TO: Mr. J. Burton Angelle, Sr., Secretary
FROM: Joe L. Herring, Assistant Secretary
SUBJECT: National Wildlife Week - March 20-26, 1988

FOR COMMISSION CONSIDERATION

National Wildlife Week this year will be March 20-26, 1988, and the theme will be "Forest Are More Than Trees".

National Wildlife Week gives our State Sportsmen an opportunity to make the non-hunting public aware of what they have done and are doing for wildlife. This is an opportunity for our Sportsmen to work in the schools, and with civic, church and other groups to let the public know what they are doing for conservation of our wildlife resources. "Forest Are More Than Trees" is a good topic to bring all people together. It is an appropriate theme since we are in a land acquisition program in purchasing forest lands and reforesting other lands for wildlife.

Many of the Louisiana Wildlife Federation Clubs will be sponsoring wildlife programs during this important week to make the public aware of our natural resources.


Joe L. Herring
Assistant Secretary

JLH:sb

NATIONAL WILDLIFE WEEK
RESOLUTION

WHEREAS, forests cover about 737 million acres of the United States and are essential to the environmental quality of our nation; and

WHEREAS, thousands of plant and animal species, including more than 100 threatened and endangered species, depend upon forests for their survival; and

WHEREAS, forests provide invaluable functions and products including watershed protection, wildlife habitat, recreation, lumber, and paper products; and

WHEREAS, human demands and pressures on the diverse forest resources have resulted in deforestation and alteration of forest quality and quantity; and

WHEREAS, recent research suggests that acid rain and other forms of air and water pollution are negatively impacting forests; and

WHEREAS, the National Wildlife Federation has set aside the week of March 20th through March 26th, 1988, as a time to become more aware of forest resources; now therefore

BE IT RESOLVED THAT, The Louisiana Wildlife and Fisheries Commission does hereby join the National Wildlife Federation and the Louisiana Wildlife Federation in proclaiming March 20th through March 26th, 1988, as National Wildlife Week, urging one and all to unite in support of every activity that will improve our understanding of forests and the essential role they play in our lives and thus strongly affirm the vital importance of the 1988 theme "Forests Are More Than Trees."



J. BURTON ANGELLE, SR.
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
LEGAL DIVISION
P.O. BOX 15570
BATON ROUGE, LOUISIANA 70895
504/925-3666

EDWIN W. EDWARDS
GOVERNOR

January 13, 1988

Dr. Donald Hines
Commission Member for the
Department of Wildlife and Fisheries
Baton Rouge, LA 70895

RE: Act 11 of 1986 Extra Session; Impact on deer tagging
program

Dear Dr. Hines:

At your request, I have reviewed the above Act particularly
with regard to its effect on the proposed deer tagging
program. The Act reads in pertinent part:

"Beginning January 1, 1987, no agency shall adopt,
amend, or repeal any rule if the accompanying
fiscal impact statement approved by the
Legislative Fiscal Office indicates that said rule
change would result in any increase in the
expenditure of state funds"

As you are aware, there are only two enumerated exceptions
to the above stated prohibition: (1) emergency rule, or
(2) specific legislative appropriation of funds.


As you are also aware, neither of these exceptions applies
in the instant case. Enactment of an emergency rule
requires a showing of imminent peril to the public health,
safety or welfare. While the deer tagging program is
certainly deemed by a number of persons to be a superior
system for the management of the state's deer herd and
related enforcement, it cannot be argued that it is needed
as an emergency to protect these species from depletion.
And, of course, the legislature has not appropriated any
specific funds for the implementation of this program.

Dr. Donald Hines
January 13, 1988
Page 2

The third and only other alternative would seem to be the taking of funds from some other program to be used to retire the additional cost encountered by the tagging program. In order for this to be accomplished, it would have to be stated in the rule the amount of dollars that would be taken from the particular program, the fact that this would be used to offset the deer tagging program and the fact that this shifting of funds would thus result in a zero fiscal impact.

I trust that this addresses your inquiries. Please contact me if I can provide you with any further information.

Sincerely,



Donald E. Puckett



J. BURTON ANGELLE, SR.
SECRETARY

DEPARTMENT OF WILDLIFE AND FISHERIES
DISTRICT VIII
400 ROYAL ST.
NEW ORLEANS, LA 70130

EDWIN W. EDWARDS
GOVERNOR

February 1, 1988

**COASTAL & MARINE RESOURCES
SURVEY SECTION
03 - 04
ACTIVITY REPORT**

From January 1st thru January 31st

During this period field activity consisted of:

153 Surveys that were scheduled.
108 Surveys that were unable to be done due to bad weather
or fishermen unable to meet surveyor.

Surveys that were completed consisted of:

18 Leases that were tied into the monument control system.
2 Applications for new area.
13 15-year limitations.
12 Restake applications.

Total field activity:

<u>1986</u>	<u>1987</u>	<u>1988</u>	
<u>103</u>	<u>119</u>	<u>153</u>	- Surveys scheduled.
<u>43</u>	<u>48</u>	<u>45</u>	- Surveys performed.
<u>60</u>	<u>71</u>	<u>108</u>	- Surveys unable to be done due to bad weather or fishermen unable to meet surveyor.
<u>0</u>	<u>0</u>	<u>0</u>	- Survey where fishermen refused to survey.
<u>0</u>	<u>0</u>	<u>0</u>	- Disputes settled.
<u>0</u>	<u>0</u>	<u>0</u>	- No shows.
<u>0</u>	<u>0</u>	<u>0</u>	- Applications cancelled by request.

Office activity during this period:

263,618.00 - Lease rental collected.
24,812.75 - Survey fees collected.
192 - Applications filed.
7 - New leases issued.
6 - Surveys - Private Surveyor
6 - Surveys - Private Surveyor, 1988





CLIO Sportsman's LEAGUE



Address Reply To:

MAILING ADDRESS: P.O. BOX 1968 • KENNER, LA. 70063

January 26, 1988

Wildlife and Fisheries Commission
P.O. Box 15570
Baton Rouge, La. 70895

Dear Sirs:

We wish to express our EXTREME displeasure in your decision to close the recreational harvest of redfish until June of '88. You based your actions solely on the fact that it wouldn't be fair. The 1987 Legislature voted to give commercial fisherman a 1.7 million pound quota. They also gave the recreational fishermen a new size limitation that eliminated 70% of the size fish they caught in 1986. I would like to emphasize again, 70%! Because they have reached their quota, and the recreational fisherman can still catch their 30% IS NO REASON TO SHUT THE RECREATIONAL FISHERMAN DOWN !!!! In your hearings last week, you heard very little from the recreational fisherman. Since this fact is widely known, we ask you to grant us a hearing so that we can express OUR SIDE. It seems that at your hearings, the recreational sportsman is coplacent to listen to your recommendations until they come back to haunt him. This, we hope will not be the case this time. We believe that the reason you had no response (or very little) is because your hearings are in Baton Rouge, and during the day, when people who aren't fishing for a living have to work. In light of this, if you grant us a hearing, please do it so that WE, the recreational fisherman, have our numbers there. Please give us a chance to have FAIR REPRESENTATION.

Sincerely,

A. P. (Pete) SCAMARDO
President

CC: All Commission Members

Dale Vinet - Chairmen

Joe Palmisano, Jr. - Vice Chairman

Jack Cappel, Jr. M.D.

M. Lyle Crain

Jimmy Jenkins

Donald Hines, M.D.

Warren Pol

J. Burton Angelle

AFFILIATED WITH THE LOUISIANA WILDLIFE FEDERATION, INC

RAMADA® INN

1400 West Tunnel Boulevard
Houma, Louisiana 70360
(504) 879-4871

Date 11-10-87

Company Name La. Dept. of Wildlife & Fisheries

Address P.O. Box 15570

City/State Baton Rouge

Zip Code 70895

Group Name Same

Contact Paula Callais

Telephone (504) 765-2400

We are pleased to confirm your reservations at:

Hotel Ramada Inn

Telephone (504) 879-4871

Address 1400 West Tunnel Blvd.

City/State Houma, La.

Zip Code 70360

Arrival Date 2-⁴-88

Departure Date 2-⁵-88

No. Nights 1

Banquet Room Information:

Azalea Room _____

Camellia Room \$80. for 100
people

Magnolia Room \$80 for 2 days

2-⁴-88

2p.m. Magnolia Room Theatre Style for 50 people

7p.m. Cam. & Aza. Rooms Theatre Style for 100 people

2-⁵-88

10a.m. Magnolia Room Theatre Style for 50 people

Buffet Menu: _____

Price per person: _____

Al a Carte Menu: _____

Price per person: _____

Meeting Only: _____

Number of Attendants: see above

Guarantee number: _____

Time of function: _____ until _____

Room Rental Charge: _____

Direct Bill ☒ or Cash ☐

Thank you for allowing RAMADA the privilege of serving you.

Confirmation by Hotel

Delia Leonard

Date 11-10-87

Any changes or cancellations must be received by this office
NOT later than 24 hours prior to date of function, to avoid billing

RAMADA INN

1400 West Tunnel Boulevard
Houma, Louisiana 70360
(504) 879-4871

Date 11-10-87

Company Name La. Dept. of Wildlife & Fisheries

Address P.O. Box 15570 88-11-1 Area

City/State Baton Rouge Zip Code 70895

Group Name Same 5-1

Contact Paula Callais Telephone (504) 765-2400

We are pleased to confirm your reservations at:

Hotel Ramada Inn Telephone (504) 879-4871

Address 1400 West Tunnel Blvd.

City/State Houma, La. Zip Code 70360

Arrival Date 2-3-88 Departure Date 2-4-88 No. Nights 2

Banquet Room Information:

Azalea Room 1

Camellia Room \$80. for 100 people

Magnolia Room \$80 for 2 days

Buffet Menu: 1

A la Carte Menu: 1

Meeting Only: 1

Number of Attendants: see above

Time of function: _____ until _____

Room Rental Charge: _____

4
2-3-88

2p.m. Magnolia Room Theatre Style for 50 people
7p.m. Cam. & Aza. Rooms Theatre Style for 100 people

5
2-4-88

10a.m. Magnolia Room Theatre Style for 50 people

Price per person: _____

Price per person: _____

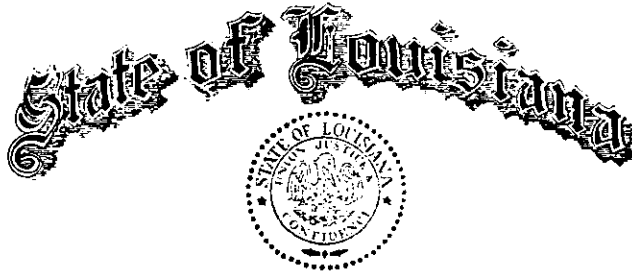
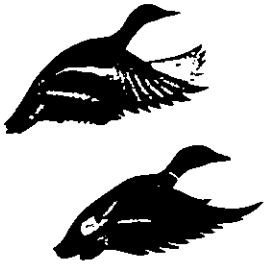
Guarantee number: _____

Direct Bill ☒ or Cash ☐

Thank you for allowing RAMADA the privilege of serving you.

Confirmation by Hotel St. John Leonard Date 11-10-87

Any changes or cancellations must be received by this office
NOT later than 24 hours prior to date of function, to avoid billing



J. BURTON ANGELLE, SR.
SECRETARY
(504) 925-3617

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 15570
BATON ROUGE, LA. 70895

EDWIN W. EDWARDS
GOVERNOR

February 8, 1988

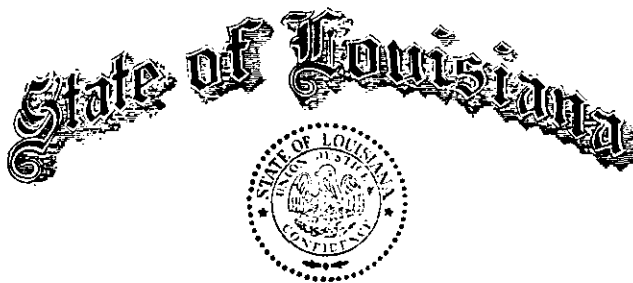
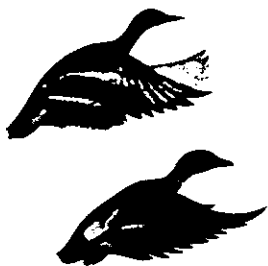
M E M O R A N D U M

TO: Assistant Secretaries and Division Chiefs
FROM: Paula Callais
SUBJECT: Commission Meeting Agenda - March 3-4, 1988
Lafayette

Please write on the bottom of this memo and return to me any agenda items your division may have for the meeting in Lafayette to be held at the Holiday Inn South, U. S. Hwy. 90 East, Evangeline Thruway.

Thank you!

pc



J. BURTON ANGELLE, SR.
SECRETARY
(504) 925-3617

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 15570
BATON ROUGE, LA. 70895

EDWIN W. EDWARDS
GOVERNOR

January 19, 1988

M E M O R A N D U M

TO: Assistant Secretaries and Division Chiefs
FROM: Paula Callais
SUBJECT: Commission Meeting Agenda - February ~~24~~²⁵, 1988
Houma

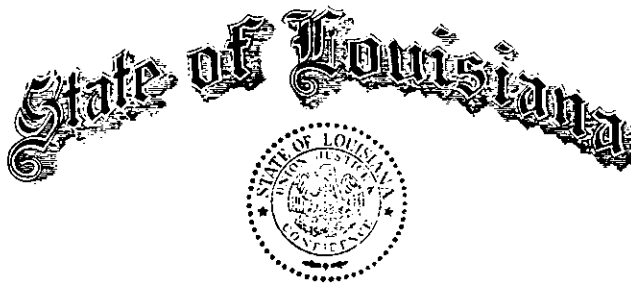
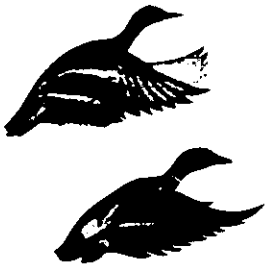
Please write on the bottom of this memo and return to me any agenda items your division may have for the meeting in February to be held at the Ramada Inn, 1400 West Tunnel Blvd. in Houma.

Thank you

pc

(1) RATIFICATION OF NOTICE OF INTENT ON
DEER TAGGING

Bateman



J. BURTON ANGELLE, SR.
SECRETARY
(504) 925-3617

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 15570
BATON ROUGE, LA. 70895

EDWIN W. EDWARDS
GOVERNOR

January 19, 1988

M E M O R A N D U M

TO: Assistant Secretaries and Division Chiefs
FROM: Paula Callais
SUBJECT: Commission Meeting Agenda - February 3-4, 1988
Houma

Please write on the bottom of this memo and return to me any agenda items your division may have for the meeting in February to be held at the Ramada Inn, 1400 West Tunnel Blvd. in Houma.

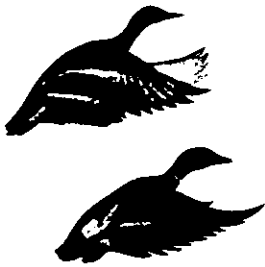
Thank you

pc

Consideration of readoption of R+R as Fur+Refuge Div. WMA's + refuges to simplify and clarify for publication in the Administrative Code, Title 76.

FUR & REFUGE
BATON ROUGE

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES
JAN 19 88
FUR & REFUGE
BATON ROUGE



J. BURTON ANGELLE, SR.
SECRETARY
(504) 925-3817

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 15570
BATON ROUGE, LA. 70895

EDWIN W. EDWARDS
GOVERNOR

January 19, 1988

M E M O R A N D U M

TO: Assistant Secretaries and Division Chiefs
FROM: Paula Callais
SUBJECT: Commission Meeting Agenda - February ^{4 5}~~3-4~~, 1988
Houma

Please write on the bottom of this memo and return to me any agenda items your division may have for the meeting in February to be held at the Ramada Inn, 1400 West Tunnel Blvd. in Houma.

Thank you

pc

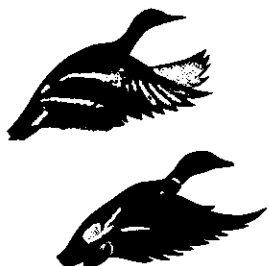
*1. Recognize National Wetlands Week
March 20-24, 1988*

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

JAN 19 1988

OFFICE OF WILDLIFE



J. BURTON ANGELLE, SR.
SECRETARY
(504) 925-3617

DEPARTMENT OF WILDLIFE AND FISHERIES
POST OFFICE BOX 15570
BATON ROUGE, LA. 70895

EDWIN W. EDWARDS
GOVERNOR

January 19, 1988

M E M O R A N D U M

TO: Assistant Secretaries and Division Chiefs
FROM: Paula Callais
SUBJECT: Commission Meeting Agenda - February 3-4, 1988
Houma

Please write on the bottom of this memo and return to me any agenda items your division may have for the meeting in February to be held at the Ramada Inn, 1400 West Tunnel Blvd. in Houma.

Thank you.

pc

RESOLUTION ADOPTED BY THE COMMISSION OF WILDLIFE AND
FISHERIES AT IT'S REGULAR MEETING HELD IN HOUMA,
LOUISIANA ON FEBRUARY 5, 1988

WHEREAS, the Louisiana Department of Wildlife and Fisheries owns the 66,000 acre Pass-a-Loutre Wildlife Management Area; and

WHEREAS, the Wildlife Management area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Pass-a-Loutre Wildlife Management Area for sport fishing and other recreational uses:


1. Commercial and sport fishing and recreational hunting are permitted. No nighttime hunting is allowed.
2. Basic resident and non-resident hunting licenses will serve as season permits on Pass-a-Loutre Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Pass-a-Loutre Wildlife Management Area. Hunters must check out daily one-half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in boats while under motor power on Pass-a-Loutre Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas. Firearms and bows and arrows are not permitted on Pass-a-Loutre Wildlife Management Area during closed seasons. Bows and broadhead arrows are not permitted on Pass-a-Loutre Wildlife Management Area EXCEPT during regular archery season or EXCEPT as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations, camping areas, or headquarters facility. Rifles and handguns larger than .22 caliber rimfire, shotgun slugs or shot larger than BB cannot be carried onto Pass-a-Loutre Wildlife Management Area. Target shooting and other forms of practice shooting are prohibited on Pass-a-Loutre Wildlife Management Area.
5. Construction of and hunting from permanent blinds on Pass-a-Loutre Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure an/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Pass-a-Loutre Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and

retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Pass-a-Loutre Wildlife Management Area during experimental rabbit seasons.

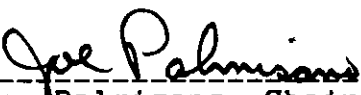
7. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
8. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited, except as specifically authorized by department personnel.
9. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
11. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime.
12. No littering allowed; dumping garbage or trash only in designated locations.
13. Camping on Pass-a-Loutre Wildlife Management Area, including houseboats, and tents are permitted only in designated areas and for a period not to exceed sixteen (16) consecutive days. Camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed sixteen (16) consecutive days. Permits are required for overnight mooring of houseboats on Pass-a-Loutre Wildlife Management Area. Permits may be obtained from the headquarters facility. No refuse or garbage may be dumped from these boats while vessel is on Pass-a-Loutre Wildlife Management Area. Firearms may not be kept loaded or discharged in a camping area. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation. Damage to or removal of trees, shrubs and wild plants on Pass-a-Loutre Wildlife Management Area without prior approval is prohibited.
14. Oysters may be harvested by tonging (properly licensed) or by hand collection from natural reefs (with the exception of existing leases). One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.



J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries



Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

RESOLUTION ADOPTED BY THE COMMISSION OF WILDLIFE AND
FISHERIES AT IT'S REGULAR MEETING HELD IN HOUMA,
LOUISIANA ON FEBRUARY 5, 1988

WHEREAS, the Louisiana Department of Wildlife and Fisheries purchased the Salvador Wildlife Management Area in 1968; and

WHEREAS, the Wildlife Management area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Salvador Wildlife Management Area for sport fishing and other recreational uses:

1. Morning Hunting Only on all game (closed 12:00 noon). All nighttime activities prohibited (including frogging) from thirty (30) minutes after official sunset to one and one half (1 1/2) hours before official sunrise.
2. Basic resident and non-resident hunting licenses will serve as season permit on Salvador Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Salvador Wildlife Management Area. Hunters must check out daily one half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Louisiana Department of Wildlife and Fisheries in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms, are not allowed in boats on Salvador Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Salvador Wildlife Management Area except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and forms of practice shooting are prohibited on Salvador Wildlife Management Area.
5. Construction of and hunting from permanent tree stands or permanent blinds on Salvador Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blind and remove decoys within 30 minutes after close of shooting hours on each respective area. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Salvador Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and

which have recognizable characteristics of the breed may be used on Salvador Wildlife Management Area during experimental rabbit seasons.

7. Commercial fishing is prohibited.

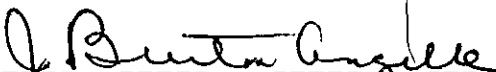
8. Recreational fishing

- a) Shrimp may be taken by the use of cast nets only. During the inside open shrimp season twenty-five pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 lbs. per boat per day, heads on may be taken for bait.
- b) Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
- c) Fish may be taken by rod and reel or hand lines for recreational purposes only.
- d) Crabs may be taken through the use of hand lines or nets; however, none of the lines are to remain set overnight. Twelve (12) dozen crabs are allowed per boat or vehicle per day.
- e) Crayfish may be harvested in unrestricted portions of the game management area and shall be limited to 100 lbs. per boat or group. Fishing gear used to catch crayfish shall not remain set overnight.
- f) The harvest of all fish, shrimp, oysters, crabs and crayfish are for recreational purposes only and all commercial use is prohibited.


9. Boats powered by internal combustion engines having horsepower rating above 25 H.P. are permitted only in oil company access canals; Louisiana Cypress Canal, the Netherlands pond including the West Canal; Lakes - "Baie Des Chactas" and "Baie du Cabanage", and the Rathborne Access ditch. Operation of the above described internal combustion engines in interior ditches are prohibited.
10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
11. The use of airboats, aircraft, hover craft, all terrain vehicles, all terrain cycles and motorcycles are prohibited; except as specifically authorized by department personnel.
12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
13. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime. Damage to or removal of trees, shrubs and wild plants on Salvador Wildlife Management Area without prior approval is prohibited.
15. No littering allowed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.



J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries



Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

RESOLUTION ADOPTED BY THE COMMISSION OF WILDLIFE AND
FISHERIES AT IT'S REGULAR MEETING HELD IN HOUMA,
LOUISIANA ON FEBRUARY 5, 1988

WHEREAS, the Louisiana Department of Wildlife and Fisheries purchased the Pointe-Au-Chien Wildlife Management Area in 1968; and

WHEREAS, the Wildlife Management Area has proven to provide abundant opportunities for the public to enjoy the wildlife resources; and

WHEREAS, the Louisiana Wildlife and Fisheries Commission has adopted numerous rules and regulations to control public use of the Wildlife Management Area; and

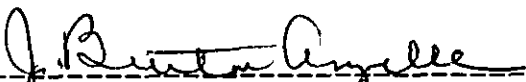
NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of Pointe-Au-Chien Wildlife Management Area for sport fishing and other recreational uses:

1. Morning hunting only on all game (closed 12:00 noon). All nighttime activities prohibited (including frogging) from thirty (30) minutes after official sunset to one and one half (1 1/2) hours before official sunrise.
2. Basic resident and non-resident hunting licenses will serve as season permits on Pointe-au-Chien Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Pointe-Au-Chien Wildlife Management Area. Hunters must check out daily one half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms, are not allowed in boats on Pointe-au-Chien Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Pointe-au-Chien Wildlife Management Area except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Pointe-au-Chien Wildlife Management Area.
5. Construction of an hunting from permanent blinds on Pointe-au-Chien is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.
6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Pointe-au-Chien Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Pointe-au-Chien Wildlife Management Area during experimental rabbit seasons.


7. Commercial fishing is prohibited; except in Cut Off Canal and Wonder Lake.
8. Recreational Fishing
 - a) Shrimp may be taken by the use of cast nets only. During the inside open shrimp season twenty-five pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 lbs. per boat per day, heads on may be taken for bait.
 - b) Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
 - c) Fish may be taken by rod and reel or hand lines for recreational purposes only.
 - d) Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve (12) dozen crabs are allowed per boat or vehicle per day.
 - e) Crayfish may be harvested in unrestricted portions of the game management area and shall be limited to 100 lbs. per boat or group. Fishing gear used to catch crayfish shall not remain set overnight.
 - f) The harvest of all fish, shrimp, oysters, crabs and crayfish are for recreational purposes only and any commercial use is prohibited.
9. Boats powered by internal combustion engines having horsepower ratings above 25 H.P. are prohibited in interior ditches. Public is permitted to travel through the wildlife management area for access purposes only, in areas known as Grand Bayou, Humble Canal, Little Bayou Blue and Grand Bayou Blue.
10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
11. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited except as specifically authorized by department personnel.
12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
13. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime. Damage to or removal of trees, shrubs and wild plants on Pointe-au-Chien Wildlife Management Area without prior approval is prohibited.
15. No littering allowed.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.



J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries



Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

RESOLUTION ADOPTED BY THE COMMISSION OF WILDLIFE AND
FISHERIES AT IT'S REGULAR MEETING HELD IN HOUMA, LOUISIANA
ON FEBRUARY 5, 1988

WHEREAS, Act 565 of the regular session of the Legislature of 1977 authorized the leasing of approximately 125,000 acres of land and water in Atchafalaya Bay to the Department of Wildlife and Fisheries for the purpose of establishing the Atchafalaya Delta Wildlife Management Area, and

WHEREAS, a lease agreement form has been drafted by the Department of Natural Resources covering a 25-year period beginning upon execution of the lease, and

WHEREAS, other stipulations have been incorporated to conform with Act 565,

NOW, THEREFORE BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby approve of the execution of this lease by the Secretary, Department of Wildlife and Fisheries, and

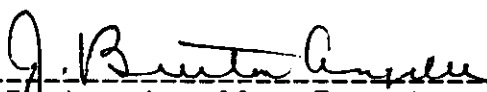
BE IT FURTHER RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Atchafalaya Delta Wildlife Management Area for sport fishing and other recreational uses.

1. Commercial and recreational fishing and recreational hunting are permitted. No nighttime hunting activity is allowed on Atchafalaya Delta Wildlife Management Area.
2. Basic resident and non-resident hunting licenses will serve as season permits on Atchafalaya Delta Wildlife Management Area. If daily permits are required, they may be obtained from permit stations located on or near Atchafalaya Delta Wildlife Management Area. Hunters must check out daily one-half hour after the end of legal shooting hours.
3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the Department in emergency situations (floods, disease outbreaks or other critical circumstances).
4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in boats under motor power on Atchafalaya Delta Wildlife Management Area. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas. Firearms and bows and arrows are not permitted on Atchafalaya Delta Wildlife Management Area during closed seasons. Bows and broadhead arrows are not permitted on Atchafalaya Delta Wildlife Management Area EXCEPT during regular archery season or EXCEPT as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations, camping areas, or headquarters facility. Rifles and handguns larger than .22 caliber rimfire, shotgun slugs or shot larger than BB cannot be carried onto Atchafalaya Delta Wildlife Management Area. Target shooting and other forms of practice shooting are prohibited on Atchafalaya Delta Wildlife Management Area.
5. Construction of and hunting from permanent blinds on Atchafalaya Delta Wildlife Management Area is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure an/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department.


6. Except for bird hunting, duck hunting, and rabbit hunting, when allowed, having or using dogs on Atchafalaya Delta Wildlife Management Area is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Atchafalaya Delta Wildlife Management Area during experimental rabbit seasons.
7. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams, and water control structures is prohibited.
8. The use of airboats, aircraft, hover craft, all terrain vehicles and all terrain cycles and motorcycles are prohibited, except as specifically authorized by Department personnel.
9. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Bringing controlled dangerous substance (drugs) onto the management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Trapping is allowed only by written agreement with the Louisiana Department of Wildlife and Fisheries.
11. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries at anytime.
12. No littering allowed; dumping garbage or trash only is designated locations.
13. Camping on Atchafalaya Delta Wildlife Management Area, including houseboats, and tents are permitted only in designated areas and for a period not to exceed sixteen (16) consecutive days. Camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed sixteen (16) consecutive days. Permits are required for overnight mooring of houseboats on Atchafalaya Delta Wildlife Management Area. Permits may be obtained from the headquarters facility. No refuse or garbage may be dumped from these boats while vessel is on Atchafalaya Delta Wildlife Management Area. Firearms may not be kept loaded or discharged in a camping area. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation. Damage to or removal of trees, shrubs and wild plants on Atchafalaya Delta Wildlife Management Area without prior approval is prohibited.
14. Oysters may be harvested by tonging (properly licensed) or by hand collection from natural reefs (with the exception of existing leases). One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.



J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries



Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

RESOLUTION ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT IT'S REGULAR MEETING HELD IN HOUMA, LOUISIANA
ON FEBRUARY 5, 1988

WHEREAS, the Louisiana Department of Wildlife and Fisheries received the Marsh Island Refuge under a conditional Deed of Donation in 1920; and

WHEREAS, provisions of the original Deed of Donation and Memorandum of Agreement permit recreational use of the refuge; and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has permitted properly licensed sport fishing and other recreational use of the area without interference with the wildlife management programs on the refuge; and

WHEREAS, numerous regulations have been adopted by the Louisiana Wildlife and Fisheries Commission to control public use of the Refuge; and

NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Marsh Island Wildlife Refuge for sport fishing and other recreational uses:

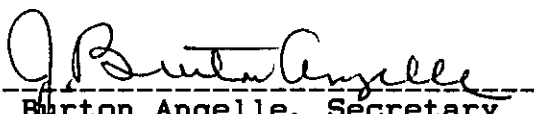
1. Use of the Refuge will be allowed from official sunrise to official sunset. This include access routes through the Refuge.
2. Overnight camping is prohibited.
3. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Louisiana Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.
4. Trawling on the Refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the Refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Louisiana Wildlife and Fisheries Commission. Ten (10) pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the Refuge and only for sport fishing or home consumption use.
5. Crawfish may be harvested from the open portion of the refuge and one-hundred (100) pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the refuge daily. No commercial harvest is allowed.
6. Crabs may be harvested from the open portion of the Refuge and twelve (12) dozen crabs are allowed per boat or vehicle per day. No commercial harvest is allowed.
7. Oysters may be harvested only by tonging (properly licensed) or by hand collection from the natural reefs. One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and all shells returned to the reef. Taking of oysters on the refuge is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
8. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by

anyone other than employees of the Louisiana Department of Wildlife and Fisheries.

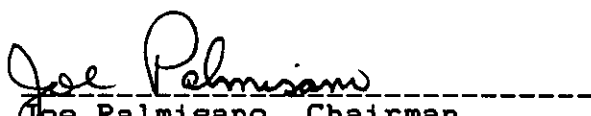
9. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the Refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
10. Speed boat racing and water skiing is prohibited. All boat traffic shall honor no wake zones and all boat traffic shall keep wave wash to a minimum. Pulling boats over or around levees, dams, or water control structures is prohibited. The Louisiana Department of Wildlife and Fisheries may further restrict specified areas of the Refuge from public access or use.
11. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs, and wild plants on the Refuge without prior approval is prohibited.
12. Commercial fishing gear or trawls shall not be permitted in possession while participating in sports fishing on Refuge. Commercial fishing gear may be in possession for non-stop access directly across refuge or for safe harbor only.
13. Enforcement officials shall have the duty and the right to restrict access to the Island, even for the purposes herein enumerated, whenever the circumstances exist that such access may impair the primary purpose of the Island as a wildlife refuge and sanctuary.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.



J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries



Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

RESOLUTION ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES
COMMISSION AT IT'S REGULAR MEETING HELD IN HOUMA,
LOUISIANA ON FEBRUARY 5, 1988

WHEREAS, the Louisiana Department of Wildlife and Fisheries received the Rockefeller Wildlife Refuge under a conditional Deed of Donation in 1920; and

WHEREAS, the provisions of the original Deed of Donation and Memorandum of Agreement permit recreational use of the refuge; and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has been permitting properly licensed sport fishing and other recreational use of the area without interference with the wildlife management programs on the refuge; and

WHEREAS, numerous regulations have been adopted by the Louisiana Wildlife and Fisheries Commission to control public use of the refuge; and

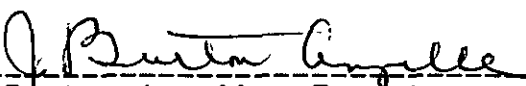
NOW, THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby adopt the following rules and regulations to govern the use of the Rockefeller Wildlife Refuge for sport fishing and other recreational uses:

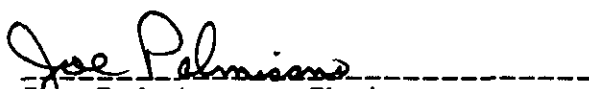
1. The visiting season on the Rockefeller Wildlife Refuge will extend from March 1st to October 15th throughout the Refuge except those restricted areas designated to prohibit interference with research and management activities. Use of Humble Canal; Joseph Harbor Bayou; Headquarters Canal; East End Road and Locks; Union Producing Canal; Deep Lake; East End Boundary Canal; and Rollover Bayou shall be year round. In addition to this access, sport fishermen shall be permitted to enter the Refuge from the Gulf side in Pigeon Bayou, Big Constance Bayou, Little Constance Bayou. Access through these bayous will be permitted only as far inland as the existing water control structures. The remainder of the Refuge shall be restricted during the winter months and will be closed to all trespassing.
2. Use of the Refuge will be allowed from official sunrise until official sunset. This includes access routes through the Refuge.
3. Overnight camping is prohibited.
4. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Louisiana Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.
5. Trawling on the Refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the Refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Louisiana Wildlife and Fisheries Commission. Ten (10) pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the Refuge and only for sport fishing or home consumption use.
6. Crawfish may be harvested from the open portion of the Refuge and one-hundred (100) pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the Refuge daily. No commercial harvest is allowed.

7. Crabs may be harvested from the open portion of the Refuge and twelve (12) dozen crabs are allowed per boat or vehicle per day.
8. Oysters may be harvested by tonging (properly licensed) or by hand collection from the natural reefs. One (1) gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and the shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Human Resources approval and may be closed at any time by the Louisiana Department of Wildlife and Fisheries.
9. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Louisiana Department of Wildlife and Fisheries.
10. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the Refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Louisiana Department of Wildlife and Fisheries at anytime.
11. Speed boat racing and water skiing is prohibited. All boat traffic shall honor no wake zones and shall keep wave wash to a minimum. Pulling boats over or around levees, dams or water control structures is prohibited.
12. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs and wild plants without prior approval is prohibited.
13. Commercial fishing gear or trawls shall not be permitted in possession while participating in sports fishing on Refuge. Commercial fishing gear may be in possession for non-stop access directly across refuge or for safe harbor only.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Secretary is hereby authorized to publicize this change in regulations through the news media.

This is to certify that the above and foregoing is a true copy of the excerpt of the minutes of the meeting of the Department of Wildlife and Fisheries Commission held in Houma, Louisiana on Friday, February 5, 1988.


J. Burton Angelle, Secretary
La. Dept. of Wildlife and
Fisheries


Joe Palmisano, Chairman
La. Wildlife and Fisheries
Commission

REDFISH PUBLIC HEARING

Houma, Louisiana

February 4, 1988

Following is verbatim testimony given at the public hearing on redfish issues.

Chairman of the Louisiana Wildlife and Fisheries Commission Joe Palmisano asked Secretary J. Burton Angelle to call roll. The following members were present: Butch Crain, Warren Pol, Jimmy Jenkins, Dale Vinet, Dr. Cappel, and Chairman Palmisano. Secretary Angelle stated that Dr. Hines was delivering a baby and as soon as he was finished he would be at the meeting.

Chairman Palmisano -- Gentlemen, there is a quorum present. I would like to call the Louisiana Wildlife and Fisheries Commission special meeting of February 4, 1988 to order (repeated, due to request from persons unable to hear). Gentlemen, first of all, ladies and gentlemen, on behalf of the Commission I would like to welcome you here this morning. We have a special meeting called today to handle one item and one item alone, and that is to consider whether or not recreational harvest of redfish should be suspended. There is a lot of people here, we have some scientists here and a lot of people want to speak. I would ask you to cooperation in this. We want to know you you feel. We want to disseminate information to you that you may not be aware of and in order to do that we are going to need complete cooperation with every one of you. I would entertain at this time, that we set a time for adjournment. We have a prescheduled meeting at 2:00 this afternoon at the Ramada Inn that we have to attend. And in order to achieve that we are going to have to move this meeting along and I would request that we

listen to all three of our biologists or the three biologists that are scheduled to speak, after which time I am going to allow some legislators that have requested to speak and then we are going to receive comments from the audience and we are going to give equal time to both sides of the issue. And I would entertain a motion at this time that we preset a time of adjournment for one thirty (1:30) and that we also stop listening to comments from the audience or from whomever by one o'clock) 1:00 to give time for this Commission to deliberate and to make a decision on this issue. I would entertain a motion to that effect if this would be in order, and I would ask our legal advisor, yield to our legal advisor Mr. Puckett, at this time would that be in order.

--Inaudible conversation--

Mr. Puckett -- To put this in the form of a motion that the debate on this would begin for the Commission at 1:00 and that the adjournment would take place at 1:30.

Mr. Palmisano -- Any discussion? (no discussion) All in favor. All opposed. Motion stands adopted. First of all I would like to call on Gerald Adkins with the Louisiana Department of Wildlife and Fisheries, Finfish Section. Mr. Jenkins?

Mr. Jenkins -- Do you have a motion on the floor before you discuss it?

Mr. Palmisano -- No this is simply a discussion. I had requested the Finfish Section to give an assessment of the red drum in Louisiana for the benefit of the audience and also the Commission members. We are not necessarily, unless. you know we are not, if there is a motion that you would like to put on the floor at this time Mr. Jenkins, certainly I will recognize you. It was my intent to allow Mr. Adkins with the Finfish Section to make a statement

on the red drum in Louisiana, then afterwards I was going to call on a gentleman that you requested, Dr. Richard Condrey from LSU, to make a statement on the red drum resource in Louisiana, and also Mr. O'Connor with National Marine Fisheries is here and I would like him to make a brief statement on the Feds position, and after that time I will entertain any motions that anybody would like to be put on the floor. I think it is first necessary to disseminate this information to the general public and also to the Commission members so that we can intelligently make a decision.

Question from unknown person -- Alright, will we have an opportunity to question people who have testified after a motion is made?

Mr. Palmisano -- I would think that during Mr. Adkins' presentation and after his presentation, that if you want to ask Mr. Adkins any questions, I think that would be the appropriate time. I have several questions myself, and I think we will ask the questions, the Commission members, as they speak.

Unknown person -- You know what the motion is, I am not sure I knew what question to ask, so I personally would like to have the opportunity to question the scientists and the other speakers after the motion is made.

Mr. Palmisano -- you have that authority and I will recognize that. Mr. Adkins --

Gerald Adkins -- Mr. Chairman, members of the Commission, Mr. Angelle and interested members of the audience. I think the things we should cover very briefly are simply the developments that have happened in the redfish fishery in Louisiana in the last several years, and more recently in the last several months. We know that some of the legislative action resulted in restrictive actions and in certain actions that would allow us to get a better handle on the redfish fishery and the data that was generated from that fishery. In

1984 there was a license passed which was called a Saltwater Angling License and this allowed us to determine just how many people were actually fishing in saltwater by virtually possessing a license. Those recreational license sales have increased from approximately one hundred two thousand in 1984 to approximately two hundred three thousand in 1987, which averages thirty thousand each year. At the same time, commercial license sales were redone and they sold for a higher price under different procedures. Those particular commercial license sales in 1984 totalled 3,275, this increased to 3,855 in 1987, or an increase of two hundred each year. The Department of Wildlife and Fisheries and other institutions completed creel surveys both from economical and biological perspectives. Biologically, the information that was gained in Louisiana indicated that fish were too small when they were first recruited to the fishery, and that too many fish were caught. Some interesting things came up in these creel surveys. We found that by the time a redfish was seven inches long he was recruited to the fishery. That means that a person catching a fish seven inches long normally kept that fish. By the time that fish was approximately twelve to fifteen inches long he was fully recruited to the fishery. And that means that hardly any of those fish were returned to the water. More recently economic situations that have developed in Louisiana which is the decline of the petroleum industry and reduction of harvest in other states caused an unprecedented amount of fishing pressure to be placed on both red drum and spotted seatrout in Louisiana waters. Red drum was especially affected because of the craze for (interrupted transmission) Are we back in business Billy? It is a good thing it was something as simple as a loose connection, I wish everything was that simple. As I was saying, the blackened redfish craze which swept the

nation approximately two years ago resulted in an even greater demand on those two species. This caused the offshore fishery to develop very quickly, landing anywhere from three to eight million pounds of redfish in a single year according to what numbers you look at. Most recently the data that was developed in the Gulf coast states, particularly Louisiana, was discussed and analyzed by the Finfish Section and the Coastal Fisheries Institute personnel of LSU. The consensus by all the people who looked at this information was that reduction and harvest was necessary if a viable fishery was to be maintained for both spotted seatrout and red drum. Most recently in November of 1987 the Gulf of Mexico Fishery Management Council Stock Assessment Group reviewed the latest information and again they recommended that a reduction in harvest take place. The former recommendation indicated that a 20% rate of escapement was necessary for these fish. The later information that was developed and discussed at the November, 1987 meeting indicated that a 30% rate of escapement was necessary for these particular fish. As a result of looking at the information which indicated that the 20% rate of escapement was necessary, recommendations based on this information was developed for the 1987 session of the Louisiana Legislature for their consideration. These recommendations included an annual quota for the commercial fishermen, increased minimum sizes and increased minimum sizes on the fish for both red drum and spotted seatrout. We also recommended that a reduction in creel limits occur for recreational fishermen and adoption for minimum sizes for both spotted seatrout and red drum. During the legislative process some of the se recommendations were adopted and some were not. Following that development, as I said we continued sampling these fish, looking at the resource and working with the other Gulf coast states and the scientific

communities, the 30% rate of escapement figure was recommended after the 1987 legislative session. We looked at the numbers that were available after implementation of those restrictive measures by the 1987 legislative session and we realized that we were somewhere in the neighborhood of 12-15% rate of escapement. We think that the only way the rate of escapement can be achieved is by further reducing the harvest in some fashion. Gentlemen, I think this brings us up to date just very briefly and very basically; it gives you some idea of what the problem has been in Louisiana and the other Gulf states and it gives you some information about some of the recommendations that were made by the Department to correct this problem. I would be happy to entertain questions at this time or at a later date at your choosing, Mr. Chairman.

Mr. Palmisano -- Mr. Adkins. Last legislative session, a package of bills was introduced in the legislature, sponsored in part by the Louisiana Department of Wildlife and Fisheries, as to achieve a 20% escapement rate. In that measure there was size limits placed on recreational fishermen, quotas placed on commercial fishermen, and reduced creel limits. Now, is it your opinion that that package of bills or that particular bill would have achieved a 20% escapement rate?

Mr. Adkins -- yes, Mr. Chairman, after a period of time that we had to monitor it and look and see exactly what happened, I am of the opinion that would have moved us to very close to the 20% escapement rate, if all the recommendations had been adopted as recommended.

Mr. Palmisano -- And that was the reduced creel limits from 50 to 25 uniform size limits of fish, etc.

Mr. Adkins -- that is correct.

Mr. Palmisano -- and now you are saying that it is going to take approximately 30%, or that is the scientific community's evaluation is that it is going to take a 30% escapement rate to sustain the equilibrium in offshore waters.

Mr. Adkins -- that is correct. Dr. Richard Condrey, as you said will speak later. He was the chairman of that Stock Assessment Group and we met in Miami in early November, 1987. The Department head representatives were there as well as were representatives from each of the other Gulf coast states, National Marine Fisheries Service, Gulf Council and others. The data that was presented there was presented by a group of scientists that are recognized throughout the nation for their expertise in population dynamics, stock assessment, whatever. Some of us were there more as interested onlookers, because we are not as expertise in that particular field. The most interesting thing about that meeting was with all the various backgrounds and fields of expertise of these scientists that were there, no one questioned the numbers that were generated and discussed at that meeting. Insofar as those numbers indicated that a 30% rate of escapement was necessary to maintain a viable fishery not only in Louisiana but throughout the Gulf of Mexico.

Mr. Palmisano -- Thank you. Mr. Jenkins?

Mr. Jenkins -- Gerald, when you are a part of the recommendation or in agreement with the 20% escapement, nowhere in that discussion or in that recommendation was there any recommendation to close the recreational fishery?

Mr. Adkins -- no there was not.

Mr. Jenkins -- Alright, you have not recommended to this commission at any meeting we have had previously that it should be closed, have you?

Mr. Adkins -- No, I have not.

Mr. Jenkins -- Are you recommending today that we close it to attain 30% escapement?

Mr. Adkins -- No, I am not.

Mr. Jenkins -- Thank you, Mr. Adkins.

Mr. Palmisano -- Mr. Adkins, do you agree with the statement that we have less than a 2% escapement rate in the State of Louisiana, and it is of your opinion as a biologist that we need to reduce the harvest in some fashion in order to achieve a 30% escapement.

Mr. Adkins -- that is correct.

Mr. Palmisano -- there is only two ways that can be achieved and that is one by this Commission, and by the Legislature. Last year when you presented a package of bills to the Legislature to achieve a 20% escapement rate, did they agree with the biologists' recommendations and did they adopt the entire package.

Mr. Adkins -- No they did not.

Mr. Palmisano -- Now, Mr. Adkins, would you be of the opinion that being that this Commission has no authority to set creel limits at the present time, what would be the next best thing for this Commission to do in order to achieve a 30% escapement rate, biologically speaking, seeing as how we don't know if the Legislature would ever pass any such legislation to achieve that, and this Commission was formed to preserve and protect the renewable resources of the State of Louisiana, what would be the next best thing in your opinion or are there several other things?

Mr. Adkins -- Well, as you said our goal and our aim was to reduce harvest. Since the Legislature did not adopt the entire package of recommendations that we made and since the numbers, data and opinions have changed since that

date, then I think without the authority given to you by the Legislature that the next best thing would be a complete closure of this fishery.

-- Applause from audience --

Mr. Palmisano -- Please, I know this is an emotional issue, we are here to get information from scientists, and everybody wants to listen to this, and I ask your cooperation again. Believe me, clapping and outbursts will not in any way, shape or form influence this Commission. We are going to listen to biological testimony, and we are going to listen to your testimony and that is what is going to influence us -- not a show of hands or clapping or being rude to other people. So, I ask your cooperation once again. Are there any other questions of Mr. Adkins? Dr. Cappel.

Dr. Cappel -- Mr. Adkins, in the report of the Stock Assessment Group meeting in November of 1987, was not one of the problems enumerated in this report one of overfishing?

Mr. Adkins -- Yes sir, to the best of my knowledge that is correct.

Dr. Cappel -- Was not one of the recommendations and the only recommendation of that report that this Commission could follow was a closed season?

Mr. Adkins -- It was recommended that the closed season occur in federal waters and the recommendation to the best of my memory was that the states adopt measures to achieve the maximum of 30% escapement.

Dr. Cappel -- Thank you.

Mr. Pol -- Mr. Chairman.

Mr. Palmisano -- Mr. Pol.

Mr. Pol -- Gerald, when we voted over in Covington, to allow the commercial fishermen an additional three months of fishing, and that was just three or four months ago, wasn't it just as acute as it is now?

Mr. Adkins -- Yes sir.

Mr. Pol -- Why didn't we at that time say that we should have closed it?

Mr. Adkins -- As I understand the decision at that time was bound by legal matters.

Mr. Pol -- I didn't remember any legal matters. I was at that meeting. I voted to allow the fishermen to have an additional three months after the attorney general's ruling. But I didn't hear anything from you or anybody else saying that this was an acute problem at that time. And now, all of a sudden, three months later it is an acute problem. I don't understand it. Why didn't you recommend at that time that it be closed?

Mr. Adkins -- The quota had been reached at that time and I...

Mr. Pol -- One quota had been reached.

Mr. Adkins -- Yes sir, 1.7 million pounds.

Mr. Pol -- We had another million, seven hundred.

Mr. Adkins -- That is correct.

Mr. Pol -- Why at that time didn't we allow it. Why didn't we at that time tell them. We had the same problem three months ago that we are having now. Why didn't you recommend it at that time?

Mr. Adkins -- I did, Mr. Pol, inform everyone that the 1.7 million...

Mr. Pol -- Well you didn't inform me. I just wanted to know...

Mr. Palmisano -- Are there any other questions for Mr. Adkins?

Mr. Jenkins -- Gerald, Mr. Palmisano, I think, is giving you very few options in the answer you had to give, he gave you hypothetical situations which do not exist. My question again, is would you or are you recommending a closure of the recreational fishery to attain the 30% rate of escapement.

Mr. Adkins -- No sir, I said as a biologist I could not make that recommendation. There are several reasons if I may qualify that statement. I think that Louisiana has more habitat than all the other Gulf states. I think that we have more inaccessible and closed areas than other states, and I feel that we have more fish than other states since we have been fortunate to have two very good year classes produced in the last couple of years. For these reasons, I could not recommend a complete closure. Also, because we have since 1986, adopted other recommendations designed to reduce the harvest. I would have to stick with those recommendations. Those recommendations were, as I alluded to earlier, a change in mesh sizes, quotas, minimum mesh sizes and reduction of the creel limit. However, when you look at it from a managerial standpoint, and when you look at it from the standpoint that this body as I understand, does not have the authority to adopt those recommendations, then you are looking at enforcement problems, you are looking at error which may be made for or against the resource, and you are looking at the fact that even though ten redfish may be the only redfish that escape, at least you are moving toward that goal by whatever amount that ten redfish is. The other thing is that we are now looking at a 30% rate of escapement recommendation, rather than a 20%. So, if you look at all these situations, and you know that you have no choice in following the recommendations that we have made, then that is why I said I think the next best thing for the resource would be a complete closure, and hopefully this resource would allow time for the recommendations that have already been adopted to be implemented or at least considered again by the legislature.

Mr. Jenkins -- If I were to ask you another hypothetical question, which I want to see what kind of an answer you give to us and how palatable that is

to the audience, suppose I said wouldn't it be good for the fish if we shut down all recreational and all commercial fishing for five years, wouldn't that help the fish? It would certainly move it toward that 30% rate of escapement. It certainly would. Thank you.

Mr. Palmisano -- Thank you Mr. Adkins. The next speaker I would like to ask was at the request of Mr. Jenkins, Dr. Richard Condrey from LSU.

Mr. Corky Perret -- I am not Richard Condrey, but our Bourg Office just received a call from Dr. Condrey and they took this message down, Richard asked that I or whoever got the message, he's got Gerald's or my name on it, read it so if you want me to, he is having car trouble, so he called to say he is on his way but his car broke down. Whether he makes it or not I don't know, somebody wrote this down from the message he gave them, and if you would like for me to read it I will or if you want to wait till Dr. Condrey shows...

Mr. Palmisano -- If he has a message to give the Commission...

Mr. Perret -- Well, I can tell you he says Richard Condrey has car trouble but will be in later. He called the Bourg Office and asked to deliver this statement. Do you want to hear his statement, and again I didn't write it down it was just handed to me from someone. Obviously there is no signature, it was a phone message, and it is in quotes. "I will be changing my testimony as chairman of the Red Drum Stock Assessment Group. I have to ask the Commission to close the commercial and recreational fishing until such time that they or the Legislature can implement management measures which will bring Louisiana in line with the recreational and commercial limits in the rest of the Gulf states. I have received information which leads me to believe that to do otherwise may open the possibility for a renewable of the

purse seine harvest in federal waters". End quote and it says he asked to deliver this information to the Commission. I don't know what information he is talking about, but that is what the message was taken at the Houma office. Mr. Palmisano -- We have no way of verifying that and I would like to wait. This is a very important statement from Dr. Condrey and I would like to defer until Dr. Condrey gets here and speak to him personally, myself, and I am sure the other Commission members would like to do so also. Thank you Mr. Perret. The next speaker that we have scheduled is Mr. O'Connor with National Marine Fisheries. Mr. O'Connor, for the Commission's sake and the members of the audience here, would you give us a brief statement of your agency position and duties?

Mr. O'Connor -- up until just recently I was the Director of the Southeast Region of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, which is part of the United States Department of Commerce. It is the agency that is responsible for the management of our natural resources occurring within our oceans.

Mr. Palmisano -- Mr. O'Connor, can you describe the redfish fishery in federal waters and the agency's involvement in that?

Mr. O'Connor -- Would you like for me to give the Federal background with regard to redfish fishing and its regulations at this point?

Mr. Palmisano -- Yes, as briefly as possible.

Mr. O'Connor -- Okay, by way of background, in response to increase demand, there was a rapid growth in the commercial fishery for red drum in the Gulf of Mexico in 1985 and 1986. Up to this point the resource had been lightly exploited and was unmanaged in federal waters. The harvest of million pounds of fish from federal waters during the span of just a few months aroused

considerable concern and in June of 1986 the Secretary of Commerce took emergency action under the Magnuson Fishery Conservation and Management Act to curtail harvest. During the six month period that emergency regulations were in place, the secretary developed a management plan for the fishery and initiated research programs to determine the size and age composition of the offshore adult stock and to measure escapement levels of juveniles from near shore waters. The plan was implemented in December, 1986 and brought the red drum fishery in the waters of the Gulf of Mexico under management. And by way of background, federal waters range from three miles for the most part in the Gulf of Mexico, out to two hundred miles. That three miles is measured from the base line of the territorial sea and certainly in Louisiana it in essence is -- state water jurisdiction is larger than just three miles from shore. Basically the red drum plan that was developed by the secretary closed the directed commercial fishery until such time that an amount is identified that may be removed from the offshore stock without harming the resource. The plan did, however, provide for moderate amounts of red drum to be taken as bycatch and other directed fisheries. A quota of one hundred thousand pounds per year was allocated as bycatch in fisheries for other finfish. Red drum taken incidentally by the shrimp fleet were allowed to be landed in accordance with state law. It was estimated that this bycatch would amount to about two hundred thousand pounds per year. Recreational harvest was controlled by a bag limit of one red drum per person per trip, or the limit allowed by state law, whichever was more restrictive. It was estimated that recreational catch in federal waters would be reduced from about 850,000 pounds to 325,000 pounds per year under this bag limit limitation. On October 16, 1987, amendment one to the fishery management plan was prepared by the Gulf of

Mexico Fishery Management Council and was implemented. Amendment one divided the federal waters into primary and secondary areas and prohibited the harvest or possession of red drum in the secondary areas which were the waters off Texas and Florida. The total allowable catch levels established for the primary areas, which were the waters off of Louisiana, Mississippi and Alabama, the annual allowable catch levels were maintained at zero for the directed commercial fishery, 200,000 pounds for incidental catch in the shrimp fishery, 100,000 pounds for incidental catch in other commercial fisheries, and 325,000 pounds for recreational fish taken under the one fish per person per trip bag limit. Catch levels for the shrimp fleet and recreational sector of the fishery were converted to annual quotas. At that point the states were also asked to assess their current red drum regulations and to take measures to increase juvenile escapement to 20% as was specified in Amendment One, and has been commented on already by Gerald Adkins. This level of escapement was estimated by scientists as the amount necessary to maintain the spawning stock at a level that would prevent recruitment failure and the collapse of the fishery. A cooperative state/federal management approach is essential to the success of this fishery because of the inner relationship of near shore and offshore stocks. Juvenile red drum occur in near shore and inshore waters while the adults occur offshore. Overfishing at either end therefore adversely impacts the stocks at both ends. Insufficient recruitment of juveniles to the offshore spawning stocks results in too few spawners to replenish near shore waters. The procedures for specification of allowable catch provided under the plan that by October of each year our Southeast Fisheries Center would prepare a stock assessment report for the fishery. The scientific Stock Assessment Group appointed by the

Council from qualified fisheries scientists from throughout the Gulf would review the stock assessment report and specify an acceptable range of catch and identify the risks of adversely impacting the spawning stock associated with each level of harvest. Upon reviewing the report of this Group, the Council would set total allowable catch for the fishery and allocate that catch among the users. Accordingly, the Southeast Fisheries Center Stock Assessment Report prepared by October 1, 1987 indicated that current mortality rates of juvenile red drum from state waters continued to be excessively high. The annual escapement rate of juveniles to the adult stock for this period were less than 2% for all areas examined. The report also observed an offshore school sampled during mark/recapture and aging studies indicated that adult red drum under twelve years of age were nearly non-existent in the spawning stock. The Stock Assessment Report concluded that given the high mortality rate associated with the fishery on juveniles it is likely that significant increase in fishery mortality on the adults would endanger recruitment inshore. The group presented its first report to the Council on December 2, 1987. The Stock Assessment Group recommended that the Council set the acceptable biological catch for federal waters at zero, until necessary escapement levels are attained, and change the management goal to increase the juvenile escapement rate from 20% to 30%. The fishing mortality rate for adults, both recreationally and commercially harvested, was likely in the range of 3% to 5% even with no allowable harvest in federal waters, as there is a limited harvest of adults from nearshore waters, and a limited incidental catch in other fisheries. In December, 1987 the Council adopted the report of the group and requested that I institute emergency action under the Magnuson Act to reduce catch to zero in federal waters. Emergency rule

would reduce mortality on the spawning stock until amendment two to the Fishery Management Plan for redfish could be prepared and implemented. On January 1, the Secretary of Commerce by emergency rule reduced the allowable catch to zero by prohibiting harvest or possession of red drum in federal waters. The Gulf of Mexico Fishery Management Council at its January meeting recommended extension of that emergency closure for an additional ninety days or until July 1, 1988. Amendment two to the Fishery Management Plan proposes to continue the prohibition on harvest and possession in the fishery conservation zone. When stock assessment data indicate that harvest in federal waters may be safely resumed without adversely impacting the spawning stock the Council may allow harvest in federal waters by further amendment of the plan. Amendment two will encourage a 30% escapement of red drum to assure recruitment overfishing does not occur. Recognize that that recommendation is not to rebuild the stock, but merely to establish equilibrium within it at this point. When the emergency rule became effective on January 1, 1988 I sent a letter to the commissioner of the agency responsible for the resources in each Gulf state. This letter described the condition of the red drum resource and requested that each state close waters under its jurisdiction until such time, and I emphasize, close until such time that a state management program is developed and implemented, that would allow an acceptable rate of juvenile escapement. The stock assessment indicated that 30% escapement would be required to sustain the spawning stock at a level that would maintain the fishery in near shore waters. Escapement beyond that rate may be required to rebuild the spawning stock to a level that would allow resumption of the offshore fishery without risking damage to the resource. Each state has been appraised of the problem and has the flexi-

bility to develop their own management program in response. In closing I would like to share some considerations with you regarding red drum. Fishing activities in Louisiana waters account for most of the commercial landings, 63%, and nearly one half of the recreational catch, 46%, for all of the Gulf states combined. Even with the new state commercial quota of 1.7 million pounds in effect, annual harvest of red drum in Louisiana exceeds five million pounds. Therefore, management action by Louisiana will have a greater impact on the spawning stock than actions taken by the other states. Louisiana has a leadership role in the management of red drum. Reducing the allowable catch to zero is the ultimate measure that the secretary can take to protect and conserve red drum resources in federal waters. The basic problem that led to this action is the excessive harvest of juvenile fish in state waters and the solution is increasing recruitment to the offshore spawning stock. The fate of the red drum resource is now in the hands of the states, and all we are asking you to do is cooperate with us, consistent with your own management philosophies in helping us to rebuild this resource to a level that we can all share in its harvest in a fair and equitable fashion. But our principle responsibility under the federal construct and our federal legislation is to protect and preserve that resource. And after we have fulfilled that responsibility then we get into the business of who gets it. Thank you. I would be happy to respond to any questions you might have.

Mr. Palmisano -- Mr. O'Connor, in your statement you said that presently and most liberal, you are a member of the Gulf Council, are you not?

Mr. O'Connor -- Yes, I am the representative of the Secretary of Commerce on that Council.

Mr. Palmisano -- In the Stock Assessment Report that was given to you in December by Dr. Richard Condrey who was the Chairman of that Stock Assessment Group, it was stated by the most liberal of interpretations that we have less than 2% escapement rate in the majority of states across the Gulf of Mexico into the offshore waters. That is correct?

Mr. O'Connor -- That is correct.

Mr. Palmisano -- And, it was the plan or management's plan to achieve a 20% escapement rate overall. But based on their findings, they upped that to 30%, is that correct?

Mr. O'Connor -- That is correct.

Mr. Palmisano -- Now, if we do achieve a 30% escapement rate, will that rebuild, and I know this may sound rhetorical, will that rebuild the stock that is missing in the Gulf of Mexico, or will that just maintain what is presently there?

Mr. O'Connor -- My understanding from the Stock Assessment Report and the discussions I have had with the scientists involved is that all we are asking of a 30% escapement is that we establish the fishery at equilibrium at its current level and that we are not looking for any significant rebuilding at that rate.

Mr. Palmisano -- And it was also stated in that report from Dr. Condrey that in order to rebuild the stock that they found was missing it would take from 60% to 80% escapement rate from the entire Gulf in order to rebuild that.

Mr. O'Connor -- I believe that is accurate sir.

Mr. Palmisano -- So we are in a very stressed condition as far as the red drum resource is concerned and this is why National Marine Fisheries took the appropriate action that it took January 1st.

Mr. O'Connor -- That is correct sir. We took the most drastic action that we possibly could. There have been questions submitted to me with regard to why we took emergency action at that point, rather than waiting for the amendment to the fishery management plan to develop over time. My personal position and that of the Council's was that we are in a position where this resource was dramatically overfished, and the most responsible reaction by the federal government was to immediately protect that spawning stock occurring in the federal zone. And, were we not to do that, any harvest would have an adverse impact on this resource, and the best action for us to take was to stop fishing and allow at that point the management process to evolve with the assumption, although it is nothing more than an assumption at this point, that the Councils will continue an absolute prohibition on harvest under their second amendment to the plan.

Mr. Palmisano -- Since that emergency action taken, have any of the other states cooperated with National Marine Fisheries including closing down completely?

Mr. O'Connor -- At this point, the State of Florida is closed down completely, it closed its waters effective January 1st. I have no reports out of any of the other states, although I was advised that discussions were being held in Texas with further reducing their bag limits and that the other two Gulf coast states were taking a close look at what they could do to support our action.

Mr. Palmisano -- Thank you Mr. O'Connor. Do any other Commission members have any questions for Mr. O'Connor?

Mr. Vinet -- Mr. O'Connor, I was going to ask Mr. Richard Condrey, Mr. Condrey was the head of the fish Council's Stock Assessment Group?

Mr. O'Connor - That is correct, he was the head of that group.

Mr. Vinet -- They recommended that they close from three miles off for all fishing.

Mr. O'Connor -- That is correct.

Mr. Vinet -- That is what I couldn't understand, that is why I voted to close it last time, was why close it to 325,000 pounds for a year and leave inside waters open where they are catching millions of pounds, I couldn't understand what was the ... why leave the inside waters open and closing the EEZ zone. Can you tell me if he had a reason for this?

Mr. O'Connor -- I believe that at that point in time, sir, that the task of that group was to make recommendations to the federal management bodies as to what to do with their resources in federal waters. And with recommendations to that group for guidance to the states, in what we saw was necessary as a result of an overall management regime within state waters to accomplish the goal of preserving the stock, I don't think that that board was called upon to make any specific recommendations as to what management measures would be required in state waters, and that was not their task and therefore they were not prepared to respond to that particular question. Following that it is not the position of the federal government to tell the states how to accomplish that task either. We have requested through a letter to the Commissions that they take a more conservative approach by closing down their waters until such time as they are satisfied that they have a management regime in place which will accomplish a 30% escapement. And that is just taking the most conservative approach, until you know what is appropriate to do don't allow anything to occur that will adversely impact the resource, potentially adversely impact it.

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Mr. Jenkins (already speaking) -- fishery leads me to believe that National Marine Fisheries woke up one day and realized we had an offshore redfish problem, but as I recall I think it was a television station in Louisiana that filmed Florida purse seine boats hauling all the fish out of these waters that really prompted some action by the National Marine Fisheries. But who do you really represent today, do you represent, are you here on the behalf and at the direction of the National Marine Fisheries?

Mr. O'Connor -- I was invited to come over here by representatives of the State of Louisiana to present to this commission the historical federal perspective on management of this resource, why we were doing what we were doing, and I agreed to do so.

Mr. Jenkins -- so what you are telling us today is this the perception and is what you are saying the federal position on this matter.

Mr. O'Connor -- As far as I know, sir, it has been implemented by law, yes.

Mr. Jenkins -- Okay, I guess I am just asking you, you weren't just driving through Houma this morning, I mean somebody had some authority I guess to authorize you to speak on behalf of National Marine Fisheries.

Mr. O'Connor -- That is correct, although I wouldn't mind just driving through Houma.

Mr. Jenkins -- No I know it is a long way from Alaska. And you are presently not a director of this region. Is that correct?

Mr. O'Connor -- that is correct.

Mr. Jenkins -- Okay. So you are where, in Alaska I believe?

Mr. O'Connor -- I am in the process of moving to Alaska.

Mr. Jenkins -- And you are an attorney aren't you?

Mr. O'Connor -- That is part of my background, I have a law degree, yes sir.

Mr. Jenkins -- Has the Council directed how the juvenile escapement of redfish is to be reached or how it is to be accomplished?

Mr. O'Connor -- No sir, it has not. Do you mean in state waters? No it has not .

Mr. Jenkins -- The Gulf Council really rejected any action other than just writing a letter asking the states to consider a closure. Is that correct?

Mr. O'Connor -- That is correct. The Council does not have the authority in and of itself to implement rules that apply within state waters or to change existing state law.

Mr. Jenkins -- Okay. Could you just give us real quickly just a short version of the mission of the National Marine Fisheries? Where is the emphasis of the National Marine Fisheries focused?

Mr. O'Connor -- Protection and the preservation of the natural resources of our country.

Mr. Jenkins -- Inshore, offshore, everywhere?

Mr. O'Connor -- Depending upon the resources, yes sir. We have responsibility with regard to fishery resources under the Magnuson Act, which provides authority to manage within the Fishery Conservation Zone, and under certain circumstances to pre-empt state law and actually manage within state waters. We also have responsibility over endangered species and marine mammals which goes throughout the entire world. ;

Mr. Jenkins -- you did not pre-empt the State of Louisiana, though, did you, in this matter.

Mr. O'Connor -- No sir.

Mr. Jenkins -- It wasn't that urgent.

Mr. O'Connor -- I wouldn't suggest that the lack of pre-emption does not underscore the urgency of the problem, what it is is that we would like to cooperate effectively with all of the states. We have no intention of managing this resource through use of the federal bludgeon, we are here to cooperate with the states. We have a shared problem, and we would like to work it work it out as a partnership. We don't want to tell you how to run your show.

Mr. Jenkins -- But, the National Marine Fisheries was involved in the development of the purse seine and I suppose until about a year ago it was okay with the National Marine Fisheries to be offshore Louisiana gathering up all these fish with purse seines, right?

Mr. O'Connor -- Until we realized that the level of harvest by that year and the demand and the marketplace for that resource was adversely impacting upon its harvest in an uncontrolled fashion it was satisfactory to us, yes sir.

Mr. Jenkins -- do you think that the National Marine Fisheries would have any interest in Louisiana managing its inshore waters to the benefit of the offshore waters -- are we managing the juvenile fish so they can go out there and be caught by purse seines or should you be managing that resource so that the inland waters will produce fish for recreational and commercial fishermen in Louisiana.

Mr. O'Connor -- At this point, all that we are attempting to do is stabilize the resource. We haven't even reached a point of being able to intelligently assess what is the best way or the best user group to have access to this resource. At this point we are attempting to stabilize both the nearshore and the offshore fishery in a biological sense so that we can address more fully those sorts of questions. We are not trying to suggest that the

inshore fishery be developed or be limited to the point that the offshore fishery is expanded and can be harvested. We haven't even reached that question yet.

Mr. Jenkins -- As counsel for the regional director didn't you personally push for the continuance of the purse seine fishery after all the Gulf states had prohibited the landing of purse seine caught red fish?

Mr. O'Connor -- did I do what?

Mr. Jenkins-- Well, I will ask you the question again. Did you push for the continuance of the purse seine fishery after Gulf states had prohibited the landing of purse seined redfish?

Mr. O'Connor -- as a legal advisor?

Mr. Jenkins -- yes as counsel.

Mr. O'Connor -- all I did as a legal advisor was advise the agency as to the legal parameters within which it could act.

Mr. Jenkins -- It couldn't be construed that you were in favor or that you did in some fashion push for that?

Mr. O'Connor -- No sir. All that could be construed is that I gave the best advise I could at any given time to the managers as to what authority they had to act.

Mr. Jenkins -- Okay. Ya'll did give us the TED didn't you?

Mr. O'Connor -- Well, we try to keep you happy, yes sir.

Mr. Palmisano -- does any other commission member have questions?

Mr. Palmisano -- Mr. O'Connor, is it still the position of the National Marine Fisheries that each state should close inshore waters until such time as we can receive a 30% escapement rate, is that still the position?

Mr. O'Connor -- our position is that it is as I communicated to you in the letter, a request, that is our best guess as how to best solve the problem is to stop all fishing until you have addressed the issue of 30% escapement.

Mr. Palmisano -- I have one other question, in looking at some of this, you are a biologist also, aren't you?

Mr. O'Connor -- Yes, I also have a degree in biology.

Mr. Palmisano -- You have a degree in biology. Mr. Jenkins made a statement just now and I am really not clear, if we manage this resource in the state in order to achieve a 30% escapement rate that is only going to perpetuate our fishery within state waters, because as I understand the biology of redfish, they don't reach maturity or spawning until they are about five years old until they go out into the gulf and then later come back in and spawn. If we don't protect the offshore stock, we won't have an inshore stock, is that a correct statement?

Mr. O'Connor -- that is correct.

Mr. Jenkins -- I just want to make one little comment on that. I wasn't going to get your qualifications, but reading verbatim from the transcript of the New Orleans meeting you said 'I have a degree in biological science, I have a minor in mathematics, I have a minor in physics, I have a minor in chemistry, I happened to go to law school because I can't make a living on stock assessments and get the hell beat out of me in front of a bunch of politicians.'

Mr. O'Connor -- That is correct, and I still agree with that position, sir.

Mr. Palmisano -- Thank you Mr. O'Connor.

Mr. O'Connor -- Thank you very much.

Mr. Palmisano -- Mr. O'Connor has a plane to catch and he has to leave.

I see that Dr. Richard Condrey has arrived and his car problems are over and I would like to ask him if he is ready at this time to make a presentation. Dr. Condrey would you please state your name and who you represent and your background.

Dr. Condrey -- Thank you, Chairman Palmisano. I am Richard Condrey. I grew up right there on Michelle Street. I have been elected as Chairman of the Red Drum Stock Assessment Group of the Gulf of Mexico Fishery Management Council, and I am also an assistant professor at LSU, but this title is you know the first title that I have had that I feel very strongly about. Before I begin my presentation, I first want to publicly apologize to the Commission, to specifically to Commissioner Jenkins, who has been an extreme help to me and to the members of the recreational and commercial industry because during this past month they have gone out of their way to have me come across the state, the coastal part of the state and testify and tell them about the results of my Stock Assessment Group. During that testimony before the public I had publicly stated that what I want for the resource is a 30% escapement rate and I will go into the history of that for you again. And that I did not see the benefit of a short term closure of the recreational fishery since the recreational fishery was first of all already publicly committed to obtaining 30% either from you gentlemen or from the legislature, whoever had the legal authority to do it. And, in the meantime was asking the recreational community to voluntarily reduce their limits toward the 30% escapement rate. I am backing away from that position, because yesterday afternoon I received in the mail a package from the Gulf of Mexico Fishery Management Council. That package informed me that the back door that I thought was closed, that is the offshore harvest of large red drum, adult

spawning size red drum, which we all believe are so important, that backdoor which I thought was closed is not closed. In late February, the Gulf of Mexico Fishery Management Council will begin a series of public hearings across, it is my understanding at least the north central Gulf coast and I suspect across the Gulf of Mexico. During those public hearings which I want to fully participate in as chairman of the Red Drum Stock Assessment Group the Council received testimony on a proposed plan amendment. That proposed plan amendment would close to my understanding the federal waters to the taking of large red drum. I have come to the conclusion that unless I take a strong scientific stand for full implementation of the Council's recommendations that I will place this whole process in jeopardy. And that I see unless I make the following recommendation the possibility of the whole plan unraveling and for the federal government to reinstitute a purse seine harvest of red drum in the FCZ. I don't see how anybody can believe that I come to this through anything other than my intuitive insight into the science and politics but that is where I am. It was a late night decision, and I apologize for being late, but if you would like first I will review the report of my committee and then give you what I would like as would be my recommendation to the committee here as far as a resolution.

Mr. Palmisano -- you may proceed along those lines, Dr. Condrey.

Dr. Condrey -- As chairman of the Red Drum Stock Assessment Group, I was elected to this position in November of last year. It culminated about a year and a half of intensive scientific effort that began on red drum when we initiated a Gulf-wide, three year, 1.5 million dollar, 5-state research program funded by Marfin on red drum. Corky Perret of the Department was instrumental in making sure research monies were captured. During this time

period there have been an iterative series of meetings with NMFS and the various Gulf states scientists looking at the status of red drum throughout the Gulf of Mexico. As I told you before, when a group of scientists get together one of the first things we like to do is argue about equations, argue about facts, try to point out that our research is much better than the other research. As Chairman of this group, I found that we could easily move to a consensus of opinion because the problem that we saw with red drum was so intense that scientific arguments were quickly limited because it made no difference of whether our levels of fishing mortality were 2.5 or 1 on an annual basis. By the evening of the first day of our two day meeting we knew what our recommendations would be and the rest of the meeting the next day was spent in formalizing those recommendations. Let me first contrast for you in the audience, the life history of red drum is versus the pattern that we see Gulf-wide in the red drum fishery. Red drum is a long life species, living to be thirty-five years or older. It has an explosive growth rate as a juvenile. The juvenile growth rate is so explosive, it has required us to come up with new mathematical formulas describing that growth. During the first year, the animal is spawned in September, by the end of its first year it is thirteen to fourteen inches in length. By the end of its second year it is twenty-two, if I recall, inches in length. Third, twenty-seven, and then growth begins to rapidly slow down in terms of length. By the beginning of its fourth year, the animal is twenty-nine and a half to thirty inches, by the beginning of the fifth year it is only thirty to thirty and one-half inches. So it has a very rapid growth rate as a juvenile, and then a slower but steady growth rate as an adult. That slow growth rate in length as an adult is offset by a rapid, steady growth rate in weight going from about ten

pounds in the five to eight year category to an average of thirty- five to forty pounds at thirty-five years of age. Hand in hand with this increase in weight of the animal is an increase in the fecundity, or egg production, of the females. Of the offshore schooling red drum...first the red drum is essentially a juvenile until it is five years of age, by the time the animal is five years of age, and if it is schooling in the offshore waters, the best scientific information that I am aware of indicates that the animal is, the females are 50% reproductively active. By eight years of age, that population of females is 100% reproductively active. They stay reproductively active throughout their life cycle with the egg production rate increasing dramatically from eight to thirty-five years of age. In an unfished condition, the animal would be producing, the population would be producing its maximum eggs, in those females which were nine to sixteen years of age. But the decline from sixteen years of age to 35 years of age is very gradual. So, from nine to thirty-five years of age the females are very important in maintaining the spawning biomass of the stock. Now let's contrast what is happening Gulf-wide, and especially in Louisiana. Before the recent laws in the legislature which provided a minimum recreational size, red drum entered the recreational fishery at about seven inches they were fully recruited to both the commercial and recreational fishery at fifteen to sixteen inches and they were rapidly fished out till about twenty-four to twenty-six inches. That means that we are harvesting red drum essentially as we harvest shrimp, as an annual crop not as something that lives to be thirty-five years of age and becomes reproductively active really when it is about nine years of age. So what we see Gulf-wide at least in the most recent years 83, 84, 85, is a very high rate of fishing mortality, so that the level of escapement of

juvenile red drum from the estuaries of the Gulf to the offshore spawning biomass Gulf-wide in 1986 is believed to be at least, no more than 2% of what it would be under an unfished condition and some calculations less, much less than 1%. Our committee accepted the less conservative but absolute figure as a rate of escapement, and we do not feel that is safe. We think that rate of escapement should be at 30%. That is in our report which I have for you and members of the audience here, in our report we state that we do not say red drum are in a period of low recruitment years, that is that the current rate of juvenile production, the rate of recruitment of juveniles to the fishery is abnormally low. We believe, though, in looking at these high rates of inshore fishing mortality and low rates of escapement of juveniles to the adult population, that the fishery will be in danger and that it is an offshore abundance of fish greater than twelve years of age which is providing the current spawn, essentially we have a pump that is not being primed. And, when that juvenile, low juvenile rate of escapement reaches the ages at which it will need to replenish the stock, it will not be able to replenish the stock and we will go into a period of low recruitment years which will be very difficult to reverse. Therefore, we have asked the Council to do two things in our recommendation. The first is to close the offshore waters to the taking of adult red drum or any red drum. This required the Council to close the recreational fishery of a limited take of one fish per day to not allow the possession of incidentally caught red drum in the purse seine fishery operated in the federal waters on other species, and to disallow their retention in shrimp trawls, on shrimp boats, of any red drum that was caught in federal waters, and we did that action fully aware that most of those large red drum would probably be dead. But the situation we looked at

was so grave that we could not reward the take of one of those red drum even though it was dead, with retention. In all of our analytical models of the scientists of the five Gulf states representing extremely different management regimes, we had all seen in our calculations how important those older fish are to replenishing the inshore stock. Our second recommendation was for the Council to ask the States to institute management measures that would attain 30% escapement. We only gave general guidelines to the states because we did not want to get into the area of scientific argument as to what would attain 30% escapement. I really don't know right now. I am involved in my research in trying to come up with those numbers and I will be reviewing my numbers with peer scientists at a Gulf States meeting in March of this year. And that was the gist of our recommendations. When I appeared before the council, and this becomes very important in my deliberations last night, when I appeared before the council I expected a cakewalk. As chairman of a group that had a unanimous scientific opinion and a mandate by the council to give them that opinion, I thought they would just listen to me, excuse me, and pass our resolutions. When I met with the red drum committee of the Council, the committee most charged with looking at red drum, I testified for an afternoon in New Orleans. The best I could get from that committee was that they did not reject my report, and submitted it to the Council with no comment, as best as I can recall. So I had one day to go home and get my ducks in line. And, I testified the following day for five and one-half hours as I recall, before the council. The first thing that the Council members who did not like my report tried to do was try to find another group of Gulf scientists that they could go to. Someone who would tell them something different. They couldn't. Then they tried to see were their hands

tied by not asking this group of academic idiots, (if you will) to make a recommendation on the status of the stocks, and they found that their hands were tied. One final question before all debate was closed and the motion before the floor which was to fully implement all our recommendations was voted on there was one final question that was asked, and that one question was, What would a vote against our recommendations be? And the lawyer from NOAA told the Council in no uncertain terms that no council member would be held legally liable for his or her vote, but if they voted to reject my committee's recommendations that they would put the entire plan in jeopardy. Given that my committee is of a unanimous opinion, I have pushed for a 30% escapement in Louisiana. In pushing for that 30% escapement, I was not backing the Council's complete closure because I felt that we had a closure for red drum in the federal waters and that in all honesty I could not see any reasonable scenario where a short term closure would really benefit the resource, and I differ with some of you on that. But, I felt it was better since the recreational community was committed to the 30% guideline, and since your hands are evidently tied by laws which I think logic defies, I think we have the best legal opinion that your hands are tied, I thought the best thing to do was take it to the legislature with this commitment for 30% escapement. We all know how political this thing has been. The resource is like the baby presented to Solomon. But last night looking at what was beginning to unravel on the scientific end, seeing that I was getting criticism from within NMFS scientists on my stance and on my analyses, seeing that the Council was going to go to the public hearings, and that there would be people at those public hearings who wanted a purse seine fishery opened, foreseeing that I would be asked questions as to why in my own state I could

not recommend a closure to protect the resource, when I could recommend a closure of the federal waters to protect a resource, I decided to retrench from the position that I had publicly stated, and I have tried to write a recommendation in which I can totally alienate everyone in this room, and yet be scientifically sound and safe. I am trying to find it in my writing here. I can't find it so I will just tell you. I am asking you as Chairman of the Red Drum Stock Assessment Group of the Gulf of Mexico Fishery Management Council to close, to completely close, the recreational and commercial harvest of red drum in state waters of Louisiana until such time that you or the Legislature can implement management measures which are more in line with the management measures in place in the various Gulf states for both recreational and commercial harvest. In doing that I am not asking you to implement management measures that attain 30% escapement rate, because I cannot at this point tell you what the 30% escapement rate is, but I will be coming back to you when I have scientifically defensible information on what that 30% escapement rate is and what it will entail and ask you or the Legislature as Chairman of the Red Drum Stock Assessment Group to implement those measures. Thank you.

Mr. Palmisano -- Are there any commission members who would like to question Dr. Condrey? Mr. Jenkins.

Mr. Jenkins -- Dr. Condrey, I didn't quite understand what your concern was about reopening of the offshore purse seine fishery and what that had to do with what we are considering today. Would you tell me again?

Dr. Condrey -- In late February of this year I will be participating in a series of public hearings on a plan amendment to the Red Drum Secretarial Plan, Gulf Council Plan, asking the Secretary of Commerce to close the

offshore waters, the federal waters, to the harvest of red drum. In my mind, and this is a judgement call, if I start a procedure which begins to unravel, but has been started, it calls into question just basically why should the federal, if the states are not moving or have not moved to a 30% escapement goal, it is the impression of the best scientists that have looked at this issue that the resource is in jeopardy, that there is insufficient escapement to sustain the resource, I can see a logical argument presented that that means that the offshore red drum, these adult red drum, which we all think are so important in our analytical models, do not represent a renewable resource, since the resource is not being replenished from the juvenile population, I can see a logical argument then that it is a waste of that resource not to harvest it. If the red drum fishery is going to come down to a period of low recruitment years in some unforeseeable time, because the states have not moved toward a 30% escapement rate, why not as a federal official harvest what you can, take what you can from the resource, and get a profit there in the short run. So if it is not going to be made a renewable resource by action from the states, why let it waste in the offshore waters and just die of old age. Right or wrong, that is my judgement call.

Mr. Jenkins -- You know that this will be considered in the legislature in the next few months. And your testimony up until 24 hours ago was (inaudible voices from audience) Thank you. Your testimony day before yesterday was that the short term closure would really not help the situation and so now we are going to be looking at going to the legislature and talking about it as I understand it still a 30% escapement. Is that still the goal?

Dr. Condrey -- You are absolutely correct.

Mr. Jenkins -- Okay, and we are going to be talking about a 30% escapement in a couple of months and I would say at least on a dozen occasions you told us that the short term closure is not going to help that situation. Is it now going to help that situation?

Dr. Condrey -- I have not changed my opinion on the short term closure in terms of a biological benefit to the resource, but as everything that I have done here today at the last minute, I had presented to Secretary Angelle, a series of letters, scientific exchanges between myself and Phil Goodyear, who is the main scientist within the National Marine Fisheries Service who is charged with the National Marine Fisheries Service stock assessment work on red drum. He has publicly, well he has not publicly, but he has criticized my stance on a short term closure and has pointed out correctly that a short term closure if followed by a 30% escapement rate would benefit the resource and he is of the opinion that a short term closure would do no harm. I can develop scenarios where it would do harm.

Mr. Jenkins -- Well that was my question. Because at one of these meetings you did as I recall develop a scenario where a short term would in fact harm the resource.

Dr. Condrey -- Yes sir, and that is why I have asked you if you are going to take any action to close it down until you or the legislature, the whole fishery, not just a component of it, close the whole fishery down until you or the legislature can implement management measures that are consistent with those of the other Gulf states. And thereby I think I alienate everyone in this room.

Mr. Jenkins -- I agree with that. But, your concern is how it is going to impact strategically in the upcoming discussions about the purse seining in

the offshore fishery. You are still not saying in your own opinion that closing it short term is going to help it. Is that correct?

Dr. Condrey -- Yes sir, just let me qualify it. The two have to be read together. The short term closure if it jeopardizes the process and opens the door for harvest of even a limited harvest of red drum, not even the purse seine harvest, but a limited harvest of red drum in the FCZ, until we get our ducks in order then that can really be a detriment to the resource. I don't know, and my committee can't tell you how long we can fish those offshore stocks before we see a period of recruitment failure or recruitment decline inshore. We don't know that, we just want to protect it. And, I think its only fair to look at it from the federal standpoint is that Craig O'Connor and others have done the maximum to protect the resource and they are looking at the states for I believe a good faith effort. I thought the 30% escapement goal was a good faith effort. I thought that the commitment that I have gotten throughout the state from both recreational and commercial people in a real sense of husbandry, a really proud time for me to go out and talk to people, I thought that was enough. As I said in Covington yesterday, I had a bird in the hand and that is what I was going with. Well, I see a vulture on the horizon and I have to watch out for that too.

Mr. Jenkins -- And that vulture is the offshore fishery?

Dr. Condrey -- as illogically scientifically as it is, and I have publicly testified in favor of a purse seine fishery because it is an easy fishery to regulate, I see the possibility of the offshore waters being opened up to an unregulated purse seine fishery, and that frightens me.

Mr. Palmisano -- Dr. Condrey, as Chairman of the Stock Assessment Group, and I basically know some of the answers to the questions that I am going to ask

you, but this is for the benefit of the press and for the benefit of the people that took time out to come here today to listen to scientific testimony, and they want to make themselves more appraised of the actual facts, we have at the most conservative of estimations less than 2% escapement rate of juvenile fish in inshore waters to offshore waters, and I don't know of any scientist that disagrees with that, is that a correct statement?

Dr. Condrey -- As far as my committee is concerned, that is a correct statement.

Mr. Palmisano -- Okay, and it has been a goal to achieve a 20% escapement rate and the last session of the legislature yourself and several other biologists testified before senate committees and house committees that we needed a 20% escapement rate in order to achieve equilibrium in the Gulf of Mexico, right?

Dr. Condrey -- that is correct.

Mr. Palmisano -- The majority of that package did not pass in the legislature last year. There were some size limits implemented and this is the question I want to ask you right now, and if we are going to develop some scientific data in order to achieve a 30% escapement rate and you are going to come with those recommendations later on, what is the difference, is there any significance or any scientific reasons that one user group has a certain restriction or size limit and another group, biologically speaking, commercial and recreational, is there any difference in that?

Dr. Condrey -- Yes sir, there is. And, now I want to speak in abstracts, if you have one, what we have to do is reduce the take, what we have to do is reduce the take of red drum across the Gulf. There are two sides to that coin. One is you reduce the rate of fishing mortality as through creels,

annual fishing mortality, that is through creels, quotas, closures. The other side to that coin is that you reduce the years that the fish is in the fishery. If you have an effective piece of gear, if you have two pieces of gear, and one is more effective than the other piece of gear, then the fishing mortality that can be induced by that effective piece of gear is greater, therefore, in using an effective piece of gear, you need to have a smaller size window in which the fishery is exposed. If you have something that is less efficient, then you can have a broader window.

Mr. Palmisano -- 30% escapement rate would not achieve, and this question was asked earlier, of Mr. O'Connor, of National Marine Fisheries, the 30% escapement rate that the Stock Assessment Group is recommending now would not replenish the offshore stock or the year classes that ya'll found to be absent in the Gulf of Mexico.

Dr. Condrey -- That is correct. It does not provide for rebuilding of an offshore, of what has been taken from the offshore stock.

Mr. Palmisano -- In reading the testimony given before the Council, I think it was your statement that in order to achieve a rebuilding of that it would take in the neighborhood of 60-80% escapement rate to rebuild.

Dr. Condrey -- Yes, that was off the top of my head.

Mr. Palmisano -- right, I would, it would take significantly more than 30% to go ahead and achieve that.

Dr. Condrey -- Yes sir. Chairman, may I just point out that those questions that were asked of me about the 30% escapement rate were asked by councilmen who I thought we were being too restrictive, but I pointed out that we couldn't be faulted for being too restricted, but we could be faulted for not asking for rebuilding.

Mr. Palmisano -- I understand. In order to achieve a, and this is just off the top of, in order to achieve an 80%, and this is just a hypothetical situation and I know I am putting you on the spot, that is almost virtually impossible without total closure, right?

Dr. Condrey -- I would think so.

Mr. Palmisano -- Okay, any other commission members? Mr. Jenkins.

Mr. Jenkins -- Dr. Condrey, if the goal is going to be 30% escapement, and you are now saying that you think the whole fishery should be closed, commercial and recreational, of course you know the commercial fishery is closed, so really what we are talking about is closing the recreational fishery, and you are of the opinion of course, there is going to have to be substantially reduced limits on recreational fishing when the 30% escapement figures come out, do you have any idea what those may be or do you want to speculate on them or ..

Dr. Condrey -- I have some, I will now take off and totally distance myself from the Stock Assessment Group and from my role as a pure scientist, because I will be criticized and I have been criticized for giving numbers that I know I don't have an analyses to back, but I think this is what we are going to be looking at. And, it may not be this rosy. It may be better, severe reduction in the take of red drum, but on the other hand an increase in the quality of fishing, at least for the recreational community. I can't promise that for the commercial community. I think we are looking at realistically a five fish creel in that ball park. I think realistically, we are looking at a 16 or 18 inch minimum and a 28 inch maximum with perhaps at the best, a one fish over 28 or a deer tagging program on red drum, or some more limited take of red drum over 28. That 28 inch fish if you recall from my initial testi-

mony as a fish goes from 28 to 30 there is at least analytically a two year time period that has to be reduced, so that is why I have to back away from a 30" max. The 18 inch minimum would provide for a greater yield, but sociologically a 15 inch is better, then I can't argue scientificallyblank section of tape, change to new tape.

Mr. Jenkins -- I suppose you were involved in the science of setting the quotas in the creel sizes originally. When the, what did the, what were the, what was the projected that the creel sizes or fish limits on the recreational fishing would do as far as the percentage of kill it would reduce from what it had been.

Dr. Condrey -- I am looking up at a chart that I see in my mind. First of all the most important thing analytically was to get the minimum sizes in. At that time I was using an old growth rate equation, which had growth growing very rapidly through that 28-30 inch size category, and i can document that. So those old calcuations are no longer, would no longer be scientifically valid. But, it looked like we were moving toward a 10% escapement rate, 8-10% with the package that the legislature passed. And, I want to state publicly, as I have in the past that at the last legislative session I did not push for a creel limit. I thought the most important thing was the minimum sizes, and I was wrong, Gerald Adkins at Wildlife and Fisheries was right, but I gave bad advice to the recreational people that the most important thing for them to push for was the minimum sizes.

Mr. Jenkins -- Would you say then that size limit, reduction, would reduce the kill by something in the 50-60% range of what it had been for the recreational fishery?

Dr. Condrey -- I can't argue against that, I can't really answer it that way, I'm sorry.

Mr. Jenkins -- That is what I understood from a previous lecture and when the 1.7 million pound limit was set on commercial fishing that was basically the ten year average wasn't it?

Dr. Condrey -- Yes sir, it was.

Mr. Jenkins -- So it really didn't reduce any take in the commercial interest it was just a 10 year average.

Dr. Condrey -- It was intended to do that -- to maintain the 10 year average.

Mr. Jenkins -- Just so we know where we started. We started with a ten year average in the commercial industry as their quota. You started in a size limit with the recreational fishery that from day one would produce a substantial reduction in the kill of redfish. Is that a correct statement?

Dr. Condrey -- That is a correct statement.

Mr. Jenkins -- Thank you.

Mr. Palmisano -- Thank you Dr. Condrey.

Dr. Condrey -- Our report, there is only a hundred up here at the front, if you...

Mr. Palmisano -- Okay, I'll ask that if you'll give a copy to each member of the press, so that they can have a copy and then I don't know how I'll distribute the rest fairly.

Dr. Condrey -- Okay, thank you.

Mr. Palmisano -- Thank you. That concludes all the testimony by scientists I believe. At this time I would like to recognize Senator Bagert from New Orleans that has requested to speak before the Commission, and I'll ask that if there is any other, and I know Representative Glover is here, and I'll

also like to give an opportunity to any legislator to speak at this time, and I will ask that your comments be brief we have prescheduled a time of adjournment and its getting near that time and we want to definitely hear from the members of the audience.

At this point in time Senator Bagert, Representative Glover and members of the audience spoke. Testimony transcript resumes below with deliberations of the Commission.

Mr. Palmisano -- May I have your attention please. Members of the Commission, you have heard all the testimony that was given here today and certainly you have been aware of alot of studies and at this time I will open debate, or open the floor for comments from any one of the Commission members. The chair recognizes Dr. Cappel.

Dr. Cappel -- Mr. Chairman, I would like to offer a resolution to the Commission that we go on record as closing the recreational redfishing taking until the first of June, 1988.

Mr. Palmisano -- Dr. Cappel, am I to understand that you would like this action taken, or this motion or resolution, taken under Emergency Rule so that it can be implemented in a timely fashion.

Dr. Cappel -- If that is necessary, yes.

Mr. Palmisano -- Do you have a starting date, sir? Ten days after this meeting?

Dr. Cappel -- I think that would be a good date, ten days after this meeting.

Mr. Palmisano -- The chair recognizes the motion, is there any second to that motion?

Unknown person -- Second.

Mr. Palmisano -- It has been moved and seconded, any further discussion?

Unknown member -- Mr. Chairman I would like to offer a substitute motion. I would like to move that we delay any action on the closing of the redfish fishing for the sports fishermen or the recreational fishermen, until the legislature has a chance to act on this, which is only two months from now. In fact there is going to be a special session of the legislature I think some time at the end of March. We, I voted to give the commercial fishermen an additional three months, we are not being fair, this Commission is not being fair when we do not offer the same thing to the sports fishermen. I would like to offer this as a substitute motion.

Mr. Palmisano -- The chair recognizes the substitute motion. Is there any second?

Mr. Jenkins -- I'll second.

Mr. Palmisano -- Seconded by Mr. Jenkins. We will have discussion on the substitute motion. I will ask at this time for our legal advisor. Both motions are in order sir?

Mr. Don Puckett, legal advisor -- Debate and vote on the substitute motion depending upon the fate of it, you may or may not take up the original motion.

Mr. Palmisano -- The chair opens debate on the substitute motion. All are familiar with it? Any comments from the commission members? If no commission members have any comments I would like to make some comments as chairman. I would like to say at this time that this Commission and I guess a lot of people in positions of authority get a lot of comments made about whether we are pro one side or pro another. I received about 200 letters from people across the State of Louisiana over the last several weeks, and the majority of them said, listen to the biologists, listen to the scientists. We have heard three scientists stand up here today and recommend a closure. We heard

a senator (noise from audience) I listened to everybody speak up here and I would like for ya'll to listen to me speak. I heard three scientists, whether you want to take two sentences out of their remarks or whether you want to take the whole thing, but three of them recommended that we need a 30% escapement rate and nobody questioned that. And I challenge anybody to say that they did in this audience or for that matter across the State of Louisiana, or the Gulf states. Everybody says we need a 30% escapement rate. The substitute motion is that we allow the legislature to take action. Last year the scientists, all three of them, and user groups went before the legislature and asked for a 20% escapement rate. The biologists and scientists gave them recommendations in order for them to achieve that. They chose not to. And they bent to political pressure. We have to stop passing the buck and letting somebody else do the job. It is not a very easy job to do. But somebody has to protect the renewable resources of the State of Louisiana and it is this Commission's responsibility to do just that. And not to pass on our responsibility to someone else. Especially when that body did not take the necessary steps last year. So as chairman of this Commission I am urging all of you gentlemen to vote against the substitute motion and to allow the closure to go through the legislature and request that they take appropriate action and to give us, this Commission, authority like they gave us last session to set commercial limits and quotas that we can set creel limits and size limits and we can open this thing sooner than June 1st. The gentlemen said there is a special session to be called in early March. If it is in the call of that session, and we can request the Governor to do so, and as a concurrent resolution by both house and senate that can be passed in approximately nine days, to give us authority to do that. I will call a special

meeting immediately following, to go ahead and take appropriate action to achieve a 30% escapement rate that all of the scientists say we need. And that is my recommendation. The chair recognizes Mr. Jenkins.

Mr. Jenkins -- Mr. Chairman, in light of those remarks I would like to make some comments (noise from audience) He is in charge of loud. We heard the same comments today we heard on January 7, 1988, at that time for some reason, the same group that wants to close this thing then didn't want to listen to the scientists. And all of a sudden today, they think there is a little chink in the armor, and suddenly we should listen to the scientists. But, we should listen to one scientist make one comment. And, it is strange to me that suddenly all of these serious problems with redfish happened to culminate at the same time that the commercial fishery closed. I mean it is a hell of a coincidence. As far as I am concerned I think that the substitute motion is good, and it is very definitely a legislative matter, I don't see how five or six people up here can substitute the wisdom of the whole legislature and the whole legislative process, and as a matter of fact I don't think it is fair to do that. I don't think you have the proper forum for the proper input sitting up here on this Commission, letting people talk three minutes, and I think it should be a legislative process. There is nobody that is going to get up here and say two or three months of what is going on today is going to hurt the fisheries, so I urge the passage of the substitute motion.

Mr. Palmisano -- The Chair recognizes Mr. Pol.

Mr. Pol -- Joe, didn't we have Senator Bagert's personal assurance in front of all these people. He is your Senator, and I trust him, I don't know about anybody else, but I trust him. Didn't he assure us that coming out of this

legislature he would guarantee us that there would be a 30% escapement rate?

Didn't I, I think I understood him right. Didn't he?

Mr. Palmisano -- Are you asking that question of me?

Mr. Pol -- Yes, didn't you understand.

Mr. Palmisano -- He said it but I don't know that there is any senator in this State of Louisiana or for that matter any other state that can say they are going to enforce their will on 38 other senators.

Mr. Pol -- He said that he can assure us that he has it.

Mr. Palmisano -- He couldn't assure us of a 20% escapement rate in the last year's session of the legislature.

Mr. Pol -- Well, I would like to believe the man.

Mr. Palmisano -- I would like to believe him too.

Mr. Pol -- And I am certainly not going to say is that he is lying, I can tell you that.

Mr. Palmisano -- Is there any other discussion on the substitute motion? If not we will take a vote on the substitute motion, and I will ask the secretary to call the roll, please. A vote for the substitute motion would delay action until such time as the legislature can meet and assure a 30% escapement rate, is that correct Mr. Pol?

Mr. Pol -- Yes, that is the motion.

Secretary Angelle --

Butch Crain -- no.

Dale Vinet -- no.

Dr. Cappel -- no.

Jimmy Jenkins -- yes.

Warren Pol -- yes.

Chairman Joe Palmisano -- I choose to vote, I vote against the substitute motion. Gentlemen, the chair rules that the substitute motion fails by a vote of 5 to 2. We will now debate the original motion ...unknown person states "4 to 2"...Mr. Palmisano resumes... 4-2, excuse me.

Unknown person -- you were so sure of yourself, Joe.

Mr. Palmisano -- I was

Unknown person -- he knew he could count on Dr. Hines if he was here.

Mr. Palmisano -- at this time we will open debate on the original motion, the original motion is that we close the recreational fishery commencing ten days, starting ten days from now. We are trying to determine, please, --

inaudible transmission between Secretary Angelle and Don Puckett --

Mr. Jenkins -- The motion was ten days, Mr. Chairman

Mr. Palmisano -- The motion was ten days, on the fifteenth of February, 1988, is that correct? (more inaudible transmission) If it was ten days the fifteenth would be the ...the fifteenth of February commencing at 12:01 a.m.

Unknown person -- right.

Mr. Palmisano -- Okay, gentlemen, you have heard Dr. Cappel's resolution. I will ask if there is any debate on the motion. The chair recognizes Mr. Jenkins.

Mr. Jenkins -- This is really a point of information, and I will address it to you, or to Mr. Angelle, or to the Counsel, whoever needs to answer it. But, the reason we are having this meeting today is because we had another meeting which overturned the action of another meeting. And, at the time the motion was made at the second meeting, it stated that we had apparently done something that was procedurally wrong. And, my question today is, what did we do that was procedurally wrong that we are doing procedurally correct

today, maybe the Counsel could answer this or under what rules or regulations, or procedures are we suppose to be taking this sort of action under?

Mr. Puckett -- The challenge to the earlier action was based upon several grounds, one of (blank) the notice of administrative procedure act. Basically the listing on the agenda. It is my opinion that it has been cured by the calling of the special meeting and calling a special agenda for the meeting which was done on February the, January the 14th.

Mr. Jenkins -- How much notice is required under the Administrative Procedure Act?

Mr. Puckett -- Under the Public Meetings Law it is 24 hours. We give more than that as a standard procedure for all our agendas, for all our meetings, and this went out with the regular agenda for the regular meeting.

Mr. Jenkins -- There is no other requirement, are we taking emergency action, is it under the emergency action?

Mr. Puckett -- That is going to be at the pleasure of the Commission whether this is adopted as an emergency.

Mr. Jenkins -- Under the legislative procedure act is there a provision for emergency procedures?

Mr. Puckett -- Yes sir, there is. And that could take effect immediately if it is an emergency procedure, now you have other statutes entitled 56 which talk about a 72 hour minimum delay, I would advise to use at lease a 72-hour minimum delay, to make sure that all the provisions of law are followed.

Mr. Jenkins -- somewhere along the way, somebody cited a portion of the administrative act to me and it seems like there were a number of requirements. It seems like there was 50 or 60 days, there were notices to a number

of entities and agencies and impact studies and all those sorts of things. That is not listed in the..

Mr. Puckett -- The regular procedure for rule making involves a 50-60 day delay, that's when contemplates notice of intent, legislative oversight, and then the final promulgation of the rule which also includes the submission of a fiscal impact statement. That same would apply here except for an emergency rule you do not have to wait the 50 days.

Mr. Jenkins -- I thought that is what I asked you earlier, is this an emergency? Is it an imminent peril situation, is that the action that we are able to do this procedurally correct under today?

Mr. Puckett -- Are you asking me if the circumstances that are set forth here would fit an emergency?

Mr. Jenkins -- I don't want to have another meeting on this, you know.

Mr. Puckett -- I don't either.

Mr. Jenkins -- Okay, and I don't want to have another lawsuit that says we didn't do something procedurally correct. Now, I think what you just told me is in order to have this meeting and take this action, without the other heavy duty requirements, it would have to be taken under the imminent peril provision.

Mr. Puckett -- That is correct.

Mr. Jenkins -- Okay. So the only way we can take action today is under imminent peril right?

Mr. Puckett -- In order to put it into effect immediately that is correct.

Mr. Jenkins -- Okay.

Mr. Puckett -- Or in less than the 50 day ...

Mr. Jenkins -- Alright, so that is what I am asking you. If we are in the imminent peril feature of this thing, then what constitutes imminent peril according to the statute?

Mr. Puckett -- It states imminent peril to the health, safety, or welfare of the public, basically.

Mr. Jenkins -- the public, not the fish, correct?

Mr. Puckett -- Well, I would take the position that the loss of a resource would affect the welfare of the public.

Mr. Jenkins -- I do too, it is going to affect a lot of people, but we are saying health, safety and welfare?

Mr. Puckett -- Health, safety or welfare.

Mr. Jenkins -- Health, alright it is not affecting our health. It is not affecting the safety, so you are going to hang your hat on it we are doing this correctly because it affects the welfare of the population.

Mr. Puckett -- I think based upon the testimony that has been presented that it would be in my opinion it could be used under the Emergency Provisions. I will tell you there is one other specific provision that was granted to the Department, beyond the imminent peril requirement, it specifically states that the Department can set seasons for various hunting, trapping, finfish, shrimp, etc., using the emergency provision.

Mr. Jenkins -- Will this imminent peril that we are now looking at going to be eliminated within the closure period or 120 days?

Mr. Puckett -- I don't follow your question.

Mr. Jenkins -- Well, isn't there some maximum limit you can have to have a closure under imminent peril?

Mr. Puckett -- It is a 90 day, I believe limit for the emergency act in order, what you have to do is go ahead at the same time and put into effect your regular rule making procedures, and the law contemplates that by the time the emergency rule expires, your regular rule is in effect. Because that takes 60 days approximately.

Mr. Jenkins -- alright, but so I guess we are saying that this imminent peril is going to disappear within this emergency closure period.

Mr. Puckett -- I don't follow you. Imminent peril is used generally speaking to put any emergency rule into effect. Now normally, an emergency rule is followed by regular rule making procedures to make it permanent or a more permanent type of rule. The fact that you would put into effect regular rule making procedures subsequent to that would not relieve the emergency of the situation if I am answering your question.

Mr. Jenkins -- I guess so, but so you think what we have done to comply with the action taken under the Administrative Procedure Act is basically to give notice of the meeting, and we have done that. Do you think that is all that is necessary.

Mr. Puckett -- That is one thing that has been complied with. I think it is public knowledge that there was allegation of a public meeting question which you of course raised, and I feel that has been cured. I am not aware of any other defects that would prevent the Commission from taking action today.

Mr. Jenkins -- Okay senore, thank you. Mr. Angelle, could I ask you one more question before we vote, because I feel like the meeting is going to be over then, this came out of the Louisiana Register, I guess it was under your signature, these are items we publish from the action we take, this one says Declaration of an Emergency and it has to do with the commercial closing and

then we have another one Declaration of Emergency which was the recreational closure, which has since been rescinded, you signed these things. This was in the Register. Has anything been put in the Register pertaining to the second meeting we had?

Mr. Puckett -- I would have to defer to Mary Mitchell, or whoever handles that hands it to the Register.

Mr. Jenkins -- Well, okay, it is signed by Mr. Angelle, but you don't know of anything else?

Mr. Puckett -- I cannot tell you it has or has not been published.

Mr. Jenkins -- Okay. Thank you.

Mr. Palmisano -- Before we call it, the motion is, Dr. Hines has just come in, the motion on the floor is to close the recreational fishing starting February 15 until June 1st, in order to give time to the Legislature to enact legislation to give us a 30% escapement rate. That is the motion that is on the floor. It is being taken up under emergency rule. I would ask the attorney, when we shut down commercial fishing, we followed this same procedure.

Mr. Puckett -- The rule making procedure at that time was done in accordance with emergency rule making and that regular rule making should take place to make that a permanent rule or at least for the duration of ...

Mr. Palmisano -- We are basically doing it the same way we did the commercial.

Mr. Puckett -- That is correct.

Mr. Jenkins -- That is what I was asking you about in the Register. It is listed as an emergency. But the closure of the commercial was, knock it off, will you. The closure of the commercial redfish fishery was not an emergency, right?

Mr. Puckett -- it should have been done as an emergency, because that was required to take effect within less than the required waiting period for rule making.

Mr. Jenkins -- But, there was an emergency, all you had to do was confirm the quota had been met and state laws provided how it would be closed. Didn't it?

Mr. Puckett -- State law sets out that it shall be closed at 1.7, that is correct.

Mr. Jenkins -- So it wasn't an emergency.

Mr. Puckett -- In order that, it was my opinion that in order to put that into effect immediately, it should have been done by emergency rule.

Mr. Jenkins -- Alright, well did the Commission vote on it being an emergency?

Mr. Puckett -- As I recall it was put in the form of an emergency.

Mr. Jenkins -- No it wasn't, I didn't vote on an emergency. But, we can settle that later.

Mr. Palmisano -- Gentlemen, you all heard the motion. Any further debate?
Dr. Cappel.

Dr. Capel -- I would just like to make one or two points and that is since the beginning of this red drum controversy, some individuals as well as the media, has had a tendency to relegate the actions of this Commission to the benefit of one or the other mean user groups. Such terms as unfair, bias, politically motivated, and irresponsible, have been used to describe the actions of various members of this Commission. Now, I take exception to these accusations. While I do not believe that I or any other member of this Commission has acted in such a manner. What I do perceive, however, is that there is an honest difference of opinion, and there is nothing wrong with a difference of opinion, but an honest difference of opinion as to the magnitude

of this problem and what to do about it. To deal with the problem the legislature gave this Commission only two options. To do nothing, or to close the taking of one species of fish. To do nothing, in my mind would be irresponsible. In closing I would just like to say that I would like to take this opportunity to publicly thank all of the individuals who wrote to me expressing their views about this redbfish situation. I appreciate the interest and concern that was expressed and I only hope that similar energy be devoted to the contact with your local representatives and senators, at this coming legislative session. Gentlemen, in about two months, the kitchen is going to be in Baton Rouge and I hope you put the heat on. Thank you.

Mr. Palmisano -- Gentlemen, are there any further comments, if not I will ask the Secretary to call the role on the original motion, resolution.

---inaudible transmission ---

Mr. Palmisano -- I will repeat the motion. The motion is to take action on the emergency rule or go ahead and close the recreational redbfishing in the State of Louisiana in inland waters, starting February 15 until June 1st.

Secretary Angelle --

Mr. Butch Crain -- yes.

Dale Vinet -- yes.

Dr. Cappel -- yes.

Jimmy Jenkins -- no.

Warren Pol -- no.

Dr. Hines -- yes.

Mr. Palmisano -- Chair wishes to register a vote in favor of the resolution.

Secretary Angelle -- Now we have five to two.

Mr. Palmisano -- Chair recognizes motion adopted, resolution. Gentlemen, that concluded all the business to be taken up at this special meeting. I would like to invite all of the people here tonight we have a public hearing on hunting regulations at 7:00 at the Ramada Inn, we also have a commission meeting that starts at 2:00. Thank you.